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HOW TO RUN & WIN

Drinan's Bay State Volunteers

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Black and White in Baltimore

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Press Subpoenas: PRIVILEGE IN A TIME OF VIOLENCE

Vince Blasi

In Hanoi . . . Paris . . . Washington THE STUDENTS SIGN A TREATY

Timothy H. Ingram

George Woodcock / Farewell to the Avant-Garde!

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LETTERS

reporting in Cairo, Ill.

Chicago, Ill.
Dear Sirs: I read with interest your editorial, "Guerrilla War in Cairo" [Nov. 23]. It seems that your magazine has fallen victim to the same malady affecting other news media reporting on Cairo. You assume that the black United Front is automatically good because it lines up on opposite sides of the fence from the White Citizens Council. Your statement that "The Front repudiates violence and denies any part in the attacks on white property" could be paralleled by a similar statement from the other side. To ascertain the truth, perhaps you should send a reporter to Cairo instead of printing propaganda handouts. If you did send a reporter to Cairo, he'd discover, without too much digging, that the Front's hands are hardly clean.

Michael Hirsh, News & Public Affairs Director
WBBM/FM, Chicago

Our editorial was based partly on the petition filed with the FCC, partly on first-hand newspaper reports from Cairo. Its subject was not the relative cleanliness of the White Citizens and the United Front but the policies of radio station WKRO which have led the Front, supported by the United Church of Christ, to ask the FCC to revoke its license. The question of who resorts to violence may well be open; the charge that WKRO practices discrimination in its reporting of the news does not seem subject to debate.

The Editors

Detroit's doves

Oak Park, Mich.
Dear Sirs: Referring to your Nov. 30 editorial, "The Doves," please note the results of the voting on "Proposition E" in Detroit on November 3. Expressing their wishes on the so-called "Peace Proposition," Detroiters voted 191,919 "Yes" to 112,678 "No" in answer to the ballot question: *Do you favor an immediate ceasefire and withdrawal of U.S. Military Forces from Vietnam?*

That Detroit's vote was the largest ever taken officially on the question of immediate cease-fire and withdrawal; that the number of dollars devoted to promoting the affirmative position were so few as to be virtually lost in the verbal/visual cross fire of other election contests; and that the results were so overwhelmingly in favor of the question add up to a message that we hope would be lost on neither the White House nor Michigan's Congressional delegation.

Detroit's former mayor, Jerome P. Cavanagh, served as Honorary Chairman of "Detroiters for Proposition PeacE." Two of the co-chairmen were Reps. John Conyers, Jr., and Charles Diggs, Jr.

Rudy Simons

'redress of grievances'

New York City
Dear Sirs: When Tom Cornell, national director of the Catholic Peace Fellowship, Peter Kiger of the War Resisters League, Harold Woods of the *Catholic Worker* and their seven fellow fighters for peace went to call on Colonel Akst, New York City director of the Selective Service System on August 8, 1969 at 10 A.M. to protest the war in Vietnam and the draft, they were prevented from entering the office.

Akst and his deputies, as well as the U.S. General Services Administration, managers of the Federal Office Building at Foley Square . . . hastily locked the Selective Service office, barred the public from the 39th floor where the office was located . . . and ominously filled the corridors with police and armed guards.

(*Continued on page 659*)

EDITORIALS

The Aerospace Game

Thanks to the persistence and skill of Sen. William Proxmire, the $290-million interim appropriation for the SST has been stalled—at least for the time being. The 52-to-41 Senate vote was a pleasant surprise in view of the formidable political support that Senators Jackson and Magnuson were able to marshal on behalf of the project. But the aerospace lobby does not give up easily, and the recommendation of the House-Senate conferees for a $210 million appropriation indicates that renewed efforts may be made in the new Congress to keep the project alive, even if the compromise measure is now defeated in the Senate.

One aspect of the controversy requires special comment. James J. Harford, executive secretary of the American Institute for Aeronautics and Astronautics, makes this point (*The New York Times,* December 1): "If I were a Senator . . . I might think hard about approving the $290-million appropriation if I thought the money and the 20,000 engineers and technicians were transferable to 1971 technological programs in pollution control, mass transit, housing or another neglected problem. To our disgrace, there are no programs which have advanced to the point at which they can use those funds and engineers in 1971."

To some extent this is true, and it is indeed disgraceful. But the aerospace industry has consistently used the threat of layoffs as a means by which to bludgeon further appropriations from Congress or the Defense Department. Its success in the use of this technique has kept the alternative programs, most of which are governmental in character, from being advanced to the point where an immediate transfer of funds and personnel would be feasible. The public or social needs exist; they have been studied and well publicized. But lacking industry support they have been constantly shoved aside in favor of further appropriations for weapons systems or subsidized research and development projects of the SST variety. Despite years of discussion about the importance of "reconversion," the bitter truth is, as one Administration spokesman confessed to Richard F. Janssen of *The Wall Street Journal* (November 23): "Reconversion makes a good talk at the Rotary Club, but there are more problems in getting industry to change and people to move than we expected."

Quite so. Seattle unemployment is about 12 per cent, more than double the national average, and will now go still higher. In Los Angeles, the economy has been thrown into a tailspin by layoffs in the aerospace industry; skilled workers, drawn there year after year by irresponsible recruitment policies of the industry, are now seeking jobs elsewhere—in Israel, in West Germany, in the Union of South Africa. " 'California, Here I Go' Could Become an Economic Dirge" reads a headline in the *Los Angeles Times* of November 30.

But the issue cuts still deeper. It has been said that an economy such as ours does not depend on heavy military spending to maintain a high level of prosperity and employment. The notion that it does is an example of "pre-

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1915 Leninist ideology," Paul Samuelson, one of our most distinguished economists, assures us. Similarly, Leonard S. Silk, staff writer on economics for *The New York Times*, insists that "the old Marxist charge that capitalist economies depend on war to provide prosperity and full employment dies hard." No doubt both statements are correct in theory, but the fact is, as noted by Assistant Defense Secretary Robert C. Moot, that national unemployment increased by 1.1 million persons during the same period that defense employment decreased by 1 million persons. Defense spending may not be vital, but along with subsidies such as that involved in the SST it appears to be the easiest way to funnel public funds into the private sector. In theory, these funds can be redirected to alternative government programs, but in practice the inertia is formidable. In a letter to Paul McCracken, chairman of the President's Council of Economic Advisers, Senator Proxmire has pointed out that "The much publicized cut in military spending has not taken place. While Congress cut appropriations . . . the actual rise of spending *which the President controls* has hardly dropped at all" (emphasis added).

In addition, the Defense Department has "modernization" programs, well developed, ready to be presented at any time, which if approved would more than offset proposed cuts in military spending. "The services are vying for the spoils," notes Senator Proxmire, even before the so-called "peace dividend" has been voted. The vote on the SST appropriation is an indication that a showdown on the issue of economic priorities may be in the making. The real test will come early in 1971 when the new Congress assembles.

Disarmament at Home

The Americans who have the most intimate knowledge of guns are the police. It is therefore a very important development that police officers of high rank and long experience are now urging domestic disarmament of the country.

In a Washington speech early this month, Patrick V. Murphy, Police Commissioner of New York City, delivered a bitter attack on the "gun maniacs," and called for national legislation that would limit the possession of firearms to the military, the police and "those licensed for good and sufficient reasons." This last exemption would presumably cover hunting weapons, but would include very few of the *24 million* hand guns now owned by private citizens, according to the findings of The National Commission on the Causes and Prevention of Violence.

Commissioner Murphy's prepared text contained a sentence in which he said he "would look forward to the day when it would not be necessary for the policeman to carry a sidearm." However, he deleted that reference from the speech, explaining later that he did not want to be misunderstood as "proposing the disarming of police." Since Murphy is the active head of a police force, his caution on this point is understandable. We turn, therefore, to the published views of William Brown, professor of criminal justice at the School of Criminal Justice, State University Center, Albany, who was for

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THE NATION

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twenty years a member of the New York Police Department, rising from patrolman to inspector.

Writing in the Autumn issue of *University Review*, Mr. Brown faces soberly and courageously the matter of guns in the hands of the police. He admits, what is obvious, that there is no realistic chance to disarm the police; national mores and police psychology combine to make it impossible. At the same time, Brown obviously regrets that this should be so, saying at one point that "having a gun probably has very little—except possibly negative—effect on the policeman's safety." On this point he cites a study made by Allen Bristow and published in the *Journal of Criminal Law, Criminology, and Police Science*. Mr. Bristow produced evidence showing that the great majority of policemen killed are shot when they approach a vehicle to question its occupants, or when they charge a building where a criminal is known to be hiding. In the first situation, says Brown, the officer thinks he is making a routine investigation and has no chance to use his gun; in the second, storming a building with pistol in hand is not the appropriate tactic. A cornered desperado can do little to save himself, and the besieging force should wait for proper reinforcements.

Since stripping the police of their guns is not possible, former inspector Brown urges that the recommendations of the Police Task Force of the President's Commission on Law Enforcement and Administration of Justice be adopted and enforced. These propose, among other things, that guns not be used "on suspicion" that a crime has been committed; that police should not "fire on felony suspects when lesser force could be used"; that warning shots should never be used; that a detailed report should be required whenever a police gun is fired.

These recommendations did not get into the final commission report, nor do they have any discernible effect on the country's police departments, which are at present adding to their arsenals instead of seeking means to hold their fire. If they do not choose the latter course, Commissioner Murphy's plea that guns be taken from the people will have no effect. The state cannot find and confiscate 24 million hand guns; their owners will have to bring them in. And the gun toters will not do that as long as the authorities persist in equating law and order with a gun fight in the streets of Laredo. In particular, the ghettos will not lay down their arms, nor could one today reasonably expect them to do so. Of course they should, for the police can always outmatch them, and the level of slaughter will steadily rise. But is this how the police see their mission to preserve public tranquillity? There is welcome evidence at hand that the most thoughtful and farsighted of them abhor it.

Taiwan: Washington's Dilemma

A majority of the UN members voting has denied the international legitimacy of the Republic of China. This unprecedented move has far-reaching implications for U.S. policy in Asia. First, the 51-to 49 vote (with twenty-five abstentions), favoring the seating of Peking's delegates and the ousting of Taipei's, strips away the image successfully preserved for twenty-one years. Second, it threatens the legalistic protection of Chiang's seat afforded by the ten-year U.S. tactic of insisting that Chinese representation is an "important question" which requires a two-thirds UN majority. Only seven votes out of 125 preserved that two-thirds requirement this year; another seven abstained. Canada has already announced its intention to change from affirmative to negative. Others will also wish to avoid flouting the majority which supported the Algerian resolution, a majority certain to be strengthened as it is joined by those of twenty-five abstainees who no longer will fear that their votes decide the issue.

Third, the "swing-votes" are no longer limited to the Afro-Asian world. They now include Uncle Sam's bailiwick, Latin America. The movement of Bolivia and Peru from supporting Washington to abstention signals this development. Peking's prompt dispatch of almost $500,000 in emergency relief to earthquake victims in Peru, despite the absence of diplomatic relations, coupled with Chile's change in policy after the election of Marxist President Salvador Allende, has broken Washington's "united front," hitherto breached only in Cuba.

Fourth, Malaysia's abstention, despite Peking's continued vocal support for the outlawed Malayan Communist insurgents, challenges President Nixon's "Ask the dominoes." While Kuala Lumpur refused to move for the ouster of Taipei's delegate, withholding support for him signals acquiescence in his removal. Nor is abstention on Washington's side likely to be matched by similar moves on the other side, especially since Moscow resumed its active championing of Peking's cause after standing mute in 1969 during Sino-Soviet border tensions.

The U.S. policy must anticipate the discrediting of Chiang Kai-shek's regime after it is ousted from the UN in one or two years. The problem is complicated because there is no legal legitimacy for Chiang's domestic rule over Taiwan. Although both Taipei and Peking officially describe it as a province of China, the island remains undisposed property, taken from the defeated Japanese Empire by peace treaty after World War II, but nowhere formally and finally awarded to the Republic of China. Chiang's rule is based on temporary agreements concerning military administration of occupied enemy territory. He has not helped his case by appointing mostly generals to govern the island since 1945, instead of permitting the 12 million Taiwanese to vote for this key post. Indeed, his persistent use of "wartime emergency" regulations against non-Communist critics has won increasing attention in the U.S. Congress, as evidenced by the unprecedented vigor with which Ambassador Walter P. McConaughy was pressed by various members of the Senate Committee on Foreign Relations in recently released secret hearings.

Washington cannot hold the UN line much longer. It cannot hope to sell a "two-China" approach which is rejected in word and action by Taipei and Peking. It can continue to inch backward in increasing isolation, maintaining the *status quo* on Taiwan whatever other countries do and at whatever peril to the future stability of the area. Or it can try to move Taipei toward acceptance of a "one China-one Taiwan" solution, pre-empting Peking's position before it enters the UN, by winning in advance readmission of Chiang's delegates as the Republic of Taiwan. This could give Chiang domestic as well as inter-

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national legitimacy. But the 83-year-old Generalissimo may feel his face is worth more than his seat in the UN. Nothing in his past behavior indicates that he could agree to relinquish his claim to represent and eventually reconquer 750 million mainlanders. But perhaps the most puzzling question is what Japan will do.

ALLEN S. WHITING

Power of the Press

Lance Corporal Ronald V. Johnson had a good record in the Marines until, in 1968, he was accused of raping an Okinawan woman. Johnson, now 21, came from Bedford-Stuyvesant in Brooklyn: he is black. In a thoroughly confused court-martial, he was convicted and sentenced to twelve years at hard labor. Johnson exhausted all his appeals, in the course of which his sentence was reduced to five years. There was a great deal of doubt as to the character of the Okinawan woman and the credibility of a white man who testified that Johnson had told him he had indeed raped the woman, a waitress in the Marine enlisted men's mess. (See "The Ordeal of L/Cpl. Johnson" by Richard Oliver, *The Nation,* August 31.)

There was, and is, a great deal of racial tension in Okinawa, both between black and white Marines and between Okinawans and Americans generally. These sentiments apparently played a part in Johnson's conviction. He went to prison and served two years before doubts about the conviction, and discovery of new evidence, resulted in a second court-martial—a very rare occurrence when a soldier has been convicted and is serving his term. The principal reason for the second trial was that the New York *Daily News* became interested in the case and assigned a capable and diligent reporter, Richard Oliver, to ferret out what had actually happened.

Oliver traveled to Okinawa twice and spent practically all his time on the case. Influential New York civilian counsel and Rep. Shirley Chisholm took a hand, with the result that Johnson was released, restored to duty, and given a new trial, at which the jury, all white, consisted of two lieutenant colonels, one major, four captains and a lieutenant.

The trial had to be held in Okinawa because the plaintiff, in a late stage of pregnancy (she is still unmarried) refused to come to the United States. Nor had she allowed herself to be examined by a physician at the time of the alleged rape. Her pregnancy had nothing to do with Johnson, since he had been in jail for two years. The whole proceeding was expensive for the government, counsel, and the *Daily News*. After hearing the evidence, the jury deliberated less than an hour and a half and delivered its verdict: Not guilty.

Corporal Johnson's enlistment expires in April 1971, but probably he will receive an honorable discharge shortly. He withstood his ordeal stoically. He plans to return home and go to college. "I want to get my life back on the track again," he says.

This happy ending should not blind us to the circumstances of the case. A grave injustice has been corrected—but it could easily have gone uncorrected and it need not have happened in the first place. The effect of racial bias on the system of military justice has once again been demonstrated. The most gratifying public aspect of the reversal, however, is its affirmation of the press as a shield against injustice. Thanks are due to a fine reporter and a newspaper willing to back his efforts.

The American Tragedy

That so many Americans are self-satisfied, and proud of their country, is possible only because they concentrate on the one thing we do best—not only better than any competing nation today but better than it has been done in the entire history of the industrial revolution. No doubt about it: American business skill and organization, plus technological resourcefulness, results in prodigious production. But our ability to produce obscures our deficiencies in other areas.

As a single instance, take coal mining. Two years ago, seventy-eight men were trapped in a mine near Farmington, W. Va. The number was higher than in the current run of mine disasters; otherwise it was routine. The record over the decades is a national disgrace. In that same mine, Consol No. 9, sixteen men had been killed in 1954. At Monongah, in the same county as Farmington, 361 miners lost their lives in 1907. The lists, large and small, of mine-disaster victims, run into tens of thousands. We produce coal (though now at an inflated price) but, as the saying goes in the coal regions, we mine the miners.

In the 1968 Consol 9 disaster, the bodies of only five of the seventy-eight men have even now been recovered for burial. To a good many people the disposition of a corpse is of slight consequence; the body is not the person. But that is not the feeling in the mining regions: the tradition there is that the bodies must be recovered and given proper burial. The seventy-eight who perished had 222 dependents. Some of them are young widows, and *Time* (December 14) quotes the priest of the church in Monongah: "They've been living under a pall of death. There was this fantasy that widows couldn't remarry because their husbands weren't buried. They couldn't reorganize their lives."

A solution was found. The mine owners, the Consolidated Coal Company, the priest and the families agreed on a plan. The company said that it would take years to recover the bodies, so it was arranged that the portion of the mine that contained the most inaccessible bodies would be sealed off from commercial production. It would become a cemetery, marked by a monument on the surface, and each of the bereaved families would receive $10,000. The rest of the mine would then be put back in operation.

What of the future? Coal will again be brought to the surface with admirable efficiency, but the campaign to improve safety moves slowly. And what of the black lung victims? The article in this issue (p. 657) indicates that this program likewise is lagging, medically and in determination of eligibility.

Appalachia as a whole is not approaching redemption with lightning speed. In an early issue, the distinguished novelist, Harriette Simpson Arnow will report on what has happened to the well-publicized plan to help Ap-

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palachia to its feet. The plan is now ten years old, and the results so far are meager.

On a still broader scale, the tragedy of the coal regions, and the tragedy of Appalachia in all its aspects, are a reflection of *the* American tragedy. Whatever we set out to produce, we produce in great volume and at amazing speed, once we are tooled up for it. And how profitably in terms of dollars and cents! But these feats are sadly unmatched on the human, social and political sides. The discrepancy is a tragedy not only for its victims but for the country which allows it to exist.

More on the Prisoners

In *The Nation* of December 14, we referred to the culpability of the North Vietnamese "in refusing to furnish complete lists of the men they are holding, to allow communications with their families, and to repatriate any who may be seriously ill or incapacitated." *The New York Times* made a similar editorial comment on December 3, and this elicited a reply from Cora Weiss, co-chairman of the Committee of Liaison with Families of Servicemen Detained in North Vietnam, which the *Times* printed on its "opposite editorial" page of December 8.

Mrs. Weiss reports that on April 6 the North Vietnamese conveyed an official list of 335 U.S. servicemen it holds prisoner to the Committee of Liaison, which released the names to concerned families and the press. On November 11, Hanoi added four new names. Since December 1969, she further reports, more than 2,500 letters have been received from 331 POWs by the Committee and forwarded to their recipients; replies to 104 status inquiries have been received from North Vietnam and conveyed to families. Mail from prisoners comes to the Committee only in the hands of returning visitors (this is to assure its safe arrival), and Mrs. Weiss has told *The Nation* that government officials sometimes delay its delivery.

Secretary Laird stated that the recent futile raid to rescue prisoners was prompted by information that men were dying of ill-treatment; he intimated that twenty-two were known to have so perished. Five of these names were supplied to the Administration by a Women Strike for Peace delegation last December; the information was that these men had died some years earlier when their planes crashed. Two additional groups of six and eleven names were received by the Committee of Liaison on November 11 and 22, and immediately conveyed to the State Department. Plans for the raid, obviously, were made much earlier. Hanoi reports that these men died on crashing, or from exposure and starvation on landing in unpopulated areas, or from wounds and disease after capture.

There is no evidence that they died from ill treatment, and Mrs. Weiss quotes John Van Dyke, a former State Department employee, as concluding from the evidence available to him that "the North Vietnamese have probably treated their captives better than any other nation fighting in Asia during this century." The United States has been fighting in Asia during this century.

The effect of Mrs. Weiss's factual statement is to support the thesis that the Pentagon and the Nixon Administration are deliberately whipping up prisoner-of-war emotionalism, a tactic that is not gentle to the families of the captured men and that does not seem designed to bring the war to a negotiated conclusion—which is the traditional, and indeed only, way to repatriate military captives. That, though we did not have her information at the time, was the burden of our December 14 editorial.

MISSION TO HANOI . . . TO PARIS . . . TO WASHINGTON

The Students Sign a Peace Treaty

TIMOTHY H. INGRAM
Mr. Ingram is an associate of the public television series, "The Advocates."

Anti-war activists are bypassing President Nixon and negotiating their own peace treaty directly with Hanoi. Calling the President's peace plan a "fraud," they also threaten to bring Washington to a standstill in May unless Mr. Nixon announces a total American troop withdrawal from Vietnam by a fixed date. John Mitchell's Justice Department may have its hands full with renewed anti-war activity and a possible new string of conspiracy cases.

The government's abortive attempt to rescue American prisoners of war deep in North Vietnam may have had the earmarks of a John Wayne movie, but the peace movement's latest scenario will likely take the Oscar. Its headliners include David Ifshin, president of the National Student Association, Rennie Davis and other faces familiar from the Chicago 8 and the movement. Their script runs as follows.

On Sunday, November 29, a group of a dozen college student-body presidents and campus leaders, headed by Ifshin and Keith Parker of the University of Indiana, left for Hanoi, where they arrived two days later (changing planes in Moscow) and stayed until December 13. In Hanoi, they met with North Vietnamese student representatives to negotiate the first part of a peace treaty between the students of North and South Vietnam and the students of the United States.

A second delegation was to go to South Vietnam to conclude a similar agreement with heads of the Saigon Student Union and other critics of the Thieu-Ky government. However, difficulties in obtaining visas have plagued this phase of the trip. Ifshin was told by the South Vietnamese Embassy in Washington that "under no circumstances" would he be granted a visa.

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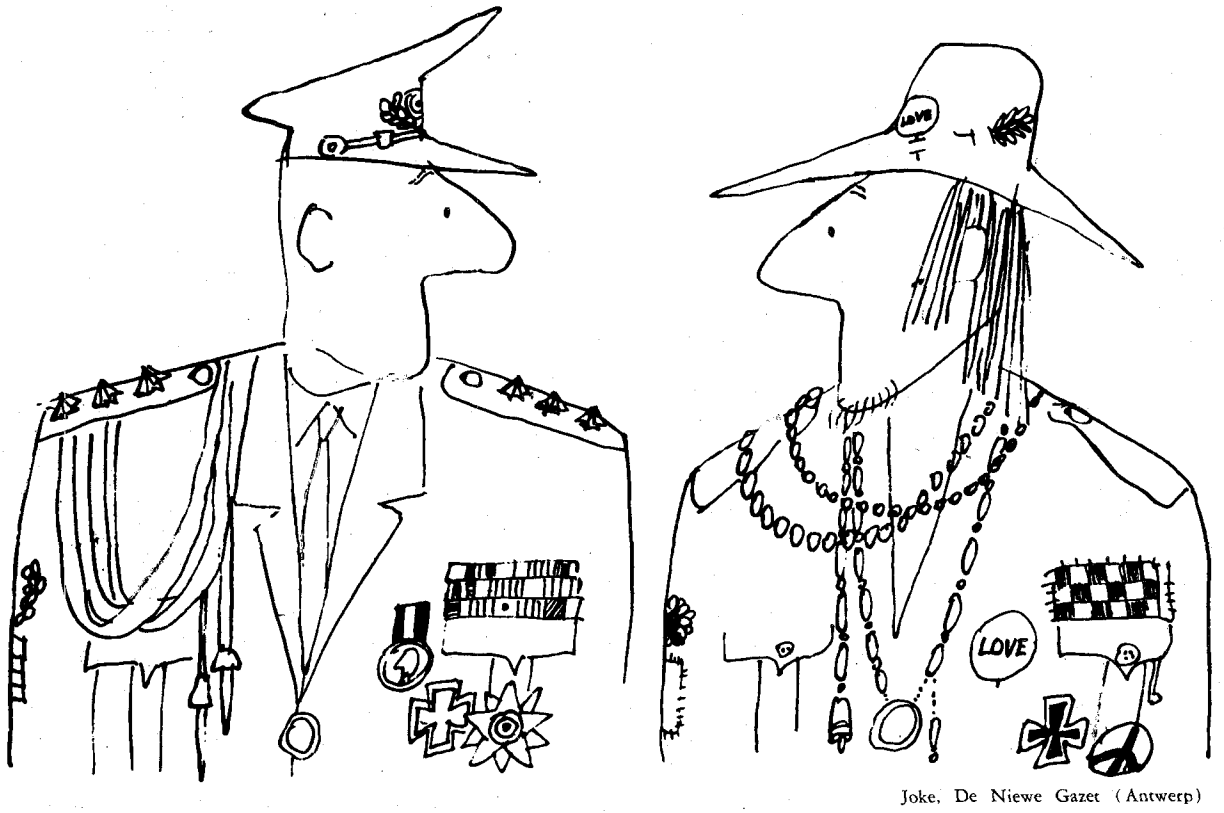

Joke, De Niewe Gazet (Antwerp)

On December 21, the two American groups will meet in Paris with Madame Binh, chief delegate of the Provisional Revolutionary Government at the Paris peace talks, and Xuan Thuy, head of the North Vietnamese delegation, to announce that an agreement has been reached. Once back home the returning radicals will hold a press conference at Kent State to detail the treaty and to urge students nationwide to ratify it.

The stated aim of this protest peace pact is to embarrass and undercut the President. It attempts to pressure him by, saying, in effect, "We can negotiate an acceptable peace, why can't you?"

On May 1, one year after the Cambodian invasion, there will be major anti-war demonstrations to support the peace treaty in most of the world's capitals. Organizers anticipate that American GIs will stage their own protests, possibly the most dramatic action planned.

On Sunday, May 2, there will be an obvious buildup around Washington, with troops and young people moving in. On Monday, May 3, 80,000 demonstrators are expected to descend on Washington to sit-in and stall-in. Five thousand junk autos are already being collected on at least thirty college campuses, to be deliberately stalled and abandoned on the main streets and bridges of the capital. New Left strategists figure it will take at least five days to unsnarl the mess. The White House and the Justice Department are saying "No comment."

The students' peace negotiations seem a direct violation of the Logan Act, an 18th-century law passed when Logan, a Quaker, made a trip to France at his own expense in 1798 in an attempt to patch up the undeclared war between America and France. Incensed Federalists passed the law to put an end to any private meddling in foreign affairs. The Act's ban against such unauthorized negotiations with foreign powers is written very broadly, and there was some talk of using it against Staughton Lynd four years ago when he went to Hanoi to clarify North Vietnam's terms for ending the war. But the fact is that in the more than 170 years since it was enacted, the law has been broken many times, but has been used to prosecute no one. It is almost inconceivable that it would be invoked on this occasion.

These anti-war activists feel obliged to take foreign relations into their own hands, resorting to "vigilante diplomacy," because they have ceased to believe that official negotiations will ever stop the fighting. David Bruce, chief U.S. negotiator in Paris, said recently that "there have never been any true negotiations" in the nearly two years of the Paris talks. President Nixon, privately if not publicly, has come to the same conclusion, as witness his apparent unconcern as to the effect of the latest bombings on the Paris negotiations.

The State Department, which has been advised of NSA's peace parley plans for more than a month, apparently does not see them as threatening, and has even assisted the students in their attempt to secure visas to South Vietnam. It is arguable that the government has waived the Logan Act, and underscored President Johnson's oft-sounded promise that *all* avenues to a peaceful settlement are open, including unofficial negotiations.

The sentiment, if not the exact terms, of the student peace treaty were agreed upon in advance—that is, an immediate unilateral American withdrawal from Vietnam. The anti-war organizers say that they accept, and believe that most Americans would accept, if it were "properly explained to them," the eight-point proposal made two months ago by Mme. Nguyen Thi Binh of the Vietcong.

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Madame Binh's two basic demands are a unilateral U.S. pullout by June 30 and replacement of Saigon's present leaders with a provisional coalition government.

One of the anti-war treaty planners put it this way: "As the aggressor in their country, we're not in a position to make demands of them [the Vietcong and North Vietnamese]. The question is, what they will grant us." In other words, there will likely be no haggling for any concessions.

One aim of the peace trip was to publicize the extent of anti-war, anti-government feeling in South Vietnam. The views of Saigon's militant, but minority, anti-war students are strikingly like the positions long espoused by many American students. The leadership of the Vietnam National Student Union, for instance, has been at odds with the South Vietnamese government since the war began to spread in 1965. What will happen politically in Saigon after the public announcement of the student peace pact is an open question.

The idea of a private peace treaty with Hanoi has circulated in white radical circles here for some time. Last summer the NSA congress passed a resolution calling upon NSA's national officers to enter into negotiations with students in North and South Vietnam, to submit the treaty to colleges for a referendum vote, and to present it to the United Nations.

Other groups—such as Clergy and Laymen Concerned about Vietnam—have indicated an interest in sending their own peace delegations. "Friends in the State Department will support it," says Mike Lerner, one of the defendants in the conspiracy trial of the Seattle 8. "They supply us with minor leaks now and then. But actually our own information—with contacts in and out of Hanoi all the time—is more extensive and current."

Someone else seems to be taking an interest in these goings-on. I experienced some difficulty, for example, reaching Rennie Davis at his home in Washington, D.C. Davis' newly installed phones kept being quickly and mysteriously disconnected. "No matter where I am or whose phone I'm using," says Davis, "within six hours the line starts to go dead." Small wonder: Davis is one of the radical chiefs of staff for the planned May 1 disruptions.

Sam Brown, organizer of Students-for-McCarthy and coordinator of the Vietnam Moratorium, has cautioned that efforts at massive disruption in Washington may create more antagonism than sympathy for the anti-war movement, and he is not alone in this anxiety. Davis, in stocking feet, stirring a cup of coffee, and looking like the morning after, responded: "I worry and think about that a lot. But the only way we're going to get liberals—Establishment doves—to respond, as they did last year during Cambodia and Kent State, is to make them feel that the country is ungovernable and will split to pieces unless this war is stopped." □

HOW TO RUN & WIN

1. Drinan's Bay State Volunteers

JAMES HIGGINS
Mr. Higgins, formerly an editor of the York Gazette and Daily, *is now a staff contributor to* The Nation.

Boston

Although perhaps fifty Protestant clergymen have over the years served in the U.S. Congress, the first Catholic priest to do so—and a Jesuit at that—will be Father Robert Frederick Drinan, elected in November from the Third District of Massachusetts. During the campaign that gained him the Democratic nomination, in place of Philip J. Philbin, who had held the office twenty-eight years; during the race for the general election, which Drinan won by a margin of about 3,000 votes out of some 178,000 cast; and during the present interval between his victory and his arrival in Washington in January, Father Drinan's clerical status, emphasized by his position as dean of the Boston College Law School, stimulated a curiosity which helped to obscure the political significance of what happened in 1970 in Massachusetts' Third District. It is implicitly great, not just for Massachusetts or the Congress but for the nation and its future.

The terms in which it is important can be suggested by quoting from a speech Drinan delivered last February on behalf of his candidacy. He spoke at the Concord-Carlisle Regional High School to an audience of more than 2,000, a caucus of citizens of the district who were there to select, from among six scheduled contestants, the candidate they would support against Philbin.

> For almost a generation, an obsession about communism has so bemused the American mind that it has long since been patently "un-American" to raise the question whether this country should any longer "contain" communism. I say, boldly and unequivocally, that the policy of containment has failed and that an entirely new foreign policy for America is the first imperative of a society of free men. . . .
>
> I advocate, therefore, not merely the cessation of all hostilities in Vietnam but an imaginative and massive program to bring about disarmament. I urge all Americans to divest themselves of the "mind-set" against communism which has made impossible any re-examination of America's foreign policy in the past generation.

How could a man who talked like that—not merely against U.S. warfare in Vietnam, not merely against our military foreign policy in general, but against the paranoia of anti-communism which for at least twenty-three years has been the rampant American social disease—how could such a man become first, a candidate for nomination, then a nominee, then a Congressman-elect? One of the key

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figures in the successful development of the process, Alvin Levin, lawyer by profession and political progressive by conviction, explains:

> The Third District was redrawn in 1967, very tardily, on the basis of the 1960 census. Previously it had been pretty much a middle-Massachusetts, middle- (and lower-) income, middle- (and working-) class district. Historically a Democratic district, as Philbin's fourteen terms demonstrate. Also "liberal," in the domestic New Deal sense. Philbin himself was usually O.K. on such things as minimum wage, Social Security and the like. Strong on personal service to constituents, too. It was the cold war, however, and Philbin's rise through seniority to become a rubber-stamp second to Mendel Rivers on the House Armed Services Committee (which gave the military everything it said was required to save us from the Communist hordes) that came to dominate his political behavior.
>
> The 1967 redistricting, principally with the additions of the well-off, professionally residential Boston suburbs of the Newtons and Weston, made it obvious to liberals of both parties that a progressive, peace-oriented candidate could be elected from the new district. But what happened? In the party primaries [of 1968] there were so many such candidates that they canceled one another out. And the district being Democratic, Philbin coasted back in.
>
> Within a recently formed statewide organization, CPP (Citizens for Participation in Politics), a nonpartisan collection of fairly autonomous local groups, discussions began on the situation in the Third District. To make a long and complicated story relatively simple, some CPP groups, some remnants of the Eugene McCarthy and Bobby Kennedy Presidential primary organizations, PAX (the state's peace assemblage), and those involved in the 1969 Vietnam Moratorium effort, decided that the best chance for a political stroke against war was to concentrate on the 1970 primaries in the district.

In December 1969, in the Concord living room of Paul Counihan, who had been McCarthy's state chairman, the founders of what was to be the Citizens Caucus drafted a questionnaire to be sent to every prospective Congressional candidate of both major parties. The content ranged from inquiries into the candidate's family, educational and office-holding history; through requests for his own assessments of his strengths and weaknesses as a candidate and what could be expected from him in terms of campaign time and effort; to 5 single-spaced pages of questions on current issues.

Some of these were general: "What do you think are the five or six most important problems the country faces now, in order of importance?" Most were more precise: "Do you support Senator Goodell's Vietnam withdrawal bill?" "What do you think the major efforts of the federal government should be regarding pollution?" "What specific things do you think the federal government should do about poverty in this country? Abroad?"

The questionnaire returns, Levin says, produced no Republican candidate whom the Caucus would want to support. For that reason, and because of the district's voting tradition, the group decided to consolidate behind one dedicated and trustworthy anti-war candidate—who could win the Democratic primary and run strong in the general election. Twenty prospects were interviewed, in depth, by a Caucus selection committee. Six "finalists" agreed to appear at the February 21st district convention. Three, one of them Drinan, showed up as speakers.

All residents of the district were invited to the convention; more than 2,000 came. Their votes were counted by a proportional representation formula, according to the number of eligible Democratic primary voters in the places of residence from which they came. On a fourth ballot, late in the afternoon, a 26-year-old Purple Heart and Silver Star anti-war veteran of Vietnam, John Kerry, withdrew his candidacy in order to give 49-year-old Father Drinan the two-thirds majority that convention rules required. (My guess is that, for Kerry, political opportunity was not terminated but simply deferred.)

About eight weeks later the Nixon Administration and the Ohio National Guard provided the Drinan campaign, then in its formation stage, with a surge of man-and-woman power that enabled campaign manager John Marttila to develop the staff, volunteers and techniques of reaching voters which eventually won the election. Marttila recalls:

> After the invasion of Cambodia, and the death of the Kent State students, volunteers poured into our office. From these we recruited a permanent staff of about fifty for the primary, forty of whom stayed on for the general. But the initial onrush gave us 1,000 volunteers, many of them students, who did the first necessary thing: a mostly door-to-door but some telephone canvass of 85,000 voters out of about 200,000 registered. We ran the information through a computer, discovered there was sufficient favorable sentiment toward the Drinan candidacy to win in the thirty-one towns and cities of the district. So we went to work.

(It is pertinent to know, in estimating the future political significance of the Drinan success, that 30-year-old Marttila was also contributed to the campaign by failings of the Nixon Administration, which he had served as a Michigan member of the Republican National Committee. He had learned, from efforts to persuade low-income families to vote Republican, that the Administration offered them, and him, nothing. He brought with him from Detroit another able campaign person, 26-year-old Dan Payne, whose method as press secretary was to furnish initially hostile or indifferent media of the district with a stream of factual releases and reports—and to protest, strongly but courteously, when they were mistreated.)

The work to which Marttila refers was so unlike the usual campaign ballyhoo that Philbin, in the words of a Boston newspaper reporter, "just never saw the big punch coming." (Drinan beat Philbin by about 6,000 votes of 62,000 cast.) There were, in the Drinan campaign, no bumper stickers, no billboards, no buttons, few newspaper ads, not much television, no large meetings, no "prominent Democrat" or labor union endorsements. Instead, there was a central campaign office and staff which kept in constant touch with offices and volunteers in the thirty-one towns and cities. The central staff was mainly but not altogether professional. In addition to Marttila, Levin and Payne, it consisted of students (current or recently graduated) and teachers from Harvard, Harvard Law School, Harvard Business School, Brandeis, Northeastern, M.I.T., Boston College, Regis, Massachusetts

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State, Boston University and others. The field offices were also staffed by students and young teachers, but depended as well on what Drinan describes as "an army of high-minded individuals from all classes, age groups and backgrounds," volunteers drawn to the campaign by their concerns about peace, jobs and inflation—the three major Drinan themes—as well as by their attraction to the sincerity and intelligence of the candidate.

The manner in which the money is spent is a good measure of how a political campaign is conducted. Of the more than $50,000 cost of the primary campaign, most, says a Drinan aide, went for postage. At least one leaflet a week went to every household containing promise of votes for Drinan. There were no mass mailings. Rather, using what canvassers had learned about the political preoccupation of a particular voter or family—environmental pollution, the economy, welfare, drug addiction, student unrest or whatever—messages from the candidate on these matters went to those who cared about them.

Telephones in the district were regularly being rung by volunteers, many of them housewives. ("One convinced housewife," says Drinan, "can do more in these days than a dozen ward heelers could in theirs.") Youngsters of 14 to 16 also worked as telephone campaigners. And in what was perhaps a unique feature of the range of participation, 7th-grade pupils of junior high school teacher Chet Suhosky, Drinan campaign coordinator in economically depressed Gardner, joined the team. "With parents' permission, of course," Suhosky says.

While opponents were endeavoring to make voters believe that a "subversive priest" would be not only an anomaly but a mortal peril in the Congress, Drinan himself, wisely and properly, found political assets in his position as a priest opposed to the "obsession" of anti-communism. As far back as February, in his speech to the Concord Caucus, he had said: "I submit to you that I am in a uniquely advantageous position to challenge the anti-Communist myth by which the defense establishment justifies its existence, its expansion and its contamination of American life. It is time for America to have a new moral and spiritual voice. . . ." Drinan expects, in short, that it will be hard to write off a Catholic as a Red, especially one who knows his Church history and theology.

Meanwhile Drinan was traveling from one small meeting to another throughout the Third District, to coffee hours, picnics, cocktail parties, backyard sessions, factory gates, street corners, even town dumps where, on Saturday mornings in Massachusetts, citizens cart their disposables. It was, then, what is called nowadays a "low profile" campaign. It persuaded a majority of voters and flabbergasted Philip Philbin.

Part of Philbin's overconfidence may well have stemmed not just from what was apparently his ownership of the seat, not just from the fact that in almost 100 years only one incumbent Congressman in Massachusetts had lost a primary, but from the attention which the district newspapers, and the Boston papers that circulate heavily in sections of the Third District, paid to one aspect of the Drinan candidacy: his Jesuit priesthood, with all the implications which membership in that order insinuate from U.S. political history dating back to pre-Civil War days.

Drinan's reasonable affirmation of his legal right to run for political office, quoting from Article VI of the Constitution—". . . but no religious test shall ever be required as a qualification to any office or public trust under the United States . . ."—was possibly dismissed by Philbin and his supporters as insufficient to overcome the psychology of prejudice. This, as a poll by the *Boston Globe* purported to show, was less prevalent among non-Catholics than it was among members of the priest's own church.

The primary outcome should have proved priesthood to be the "non-issue" which Drinan had always insisted it was, but Philbin was so unsettled by his defeat as not to think so. Within two weeks he announced himself a "write-in" or sticker candidate in the general elections, thereby creating a three-man race among himself, Drinan and the Republican candidate, John McGlennon. The immediate results of this move were to kill the possibility that most labor unions would provide financial support and workers for the Drinan campaign; to reopen the option for "anti-priest-candidate" Democrats to vote for a Democrat who is also a Catholic, and to convert the contest for the Third District seat into "the most scurrilous, nastiest campaign that's ever been waged in America."

The quote is from none other than Philbin and was used by *Boston Globe* political writer Carol Liston on October 22 to introduce the following observations:

> The Third District campaign is cheap and vicious. And two men can take the blame—Philbin and McGlennon. . . . Philbin's bitterness and vitriol originate from one single source: He was defeated by Father Drinan . . . a man of noted integrity and compassion and a novice to election politics.
>
> It was a bitter loss for Philbin [whose] followers spread ugly lies and innuendoes about Father Drinan. They have virtually charged Father Drinan with being a Communist sympathizer. They contend . . . he encourages violence and unrest.
>
> This is untrue. Those who have followed the Drinan campaign know he deplores violence. He stresses working within the system. He has tried to make his campaign one of the issues. . . .
>
> [As for McGlennon], he is spreading rumors and running advertising just as vicious as Philbin's. . . . With very careful distortion he has lifted Father Drinan's statements (mostly from two of his books, *Vietnam & Armageddon: Peace, War & the Christian Conscience*, and *Democracy, Dissent and Disorder*) from context and maliciously made the candidate look like a two-faced man, an extremist, and even a revolutionary.

Drinan's general election campaign naturally contained more of the elements that go into usual politics. (Therefore it was more expensive, costing upward of $100,000.) There were TV and radio spots, prepared by a professional ad agency; visits and endorsements by Senators Muskie and McCarthy and former Attorney General Ramsey Clark; a strong expression of support from Sen. Edward Kennedy; even a few statements of labor union favor; and appearances by the candidate at large, formally organized meetings. But the basic tasks were still performed by the paid and volunteer staffs who had operated the primary campaign, the human quality of which was described by Drinan as follows:

"The tight organization of the campaign is undoubtedly

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one of the essential reasons for its success. More than 3,500 volunteers and 2,200 donors, all in small sums, made possible the best organized Congressional race within the living memory of all political observers . . . [the victory was achieved by] the number, and intensity of labor, of the full-time and part-time volunteers." These, it should be noted, kept their intense labor going right through Election Day until the polls closed.

Voters had been canvassed as to their customary voting hour. Drinan poll watchers checked them out as they appeared. Messengers relayed the information to the campaign offices. If a voter had not shown up by the anticipated time, a phone call (fifteen phones were in use at the main Watertown Square headquarters) was made to inquire whether anything had occurred to upset the voter's schedule. If so, an offer of assistance might be made, a baby sitter for instance. No wholesale effort, however, was organized to chauffeur citizens to the polls, for it is one of Drinan's convictions that there is a duty to inform, alert and remind the people—but that the responsibility of democratic action lies with the people themselves.

When returns were in on the night of November 3, Congressman-elect Drinan opened his statement to a jubilant audience at the Newton Armory with these words: "The results of this election mean that the voters of Massachusetts have repudiated three things—the war policies of President Nixon, the economic policies of the Republican Party, and the campaign tactics of fear and smear followed by both the losers in this race." The statement was typical Drinan: direct, to the point and an accurate description of events. The events, however, were already in the past. And Drinan, again typically, went on at once to speak of the future—briefly on his own prospects, at length on that of peace politics:

> This victory means that there is one more person (among 435) in the Congress of the United States who will wage war on war.
>
> Today's victory also means that the people of this nation can and must discover and elect their own peace candidates. We cannot simply wait and hope that the political parties will bring forth candidates committed to wage war on war. . . . This victory tonight means that groups of peace-loving citizens in caucuses like that which met on February 21, 1970, in the Third Congressional District must be the new and dynamic method by which to transform the nation. The people themselves must rise up, and, by exercising their right under the Constitution to recall Congressmen every two years, create an entirely new Congress. . . .

A reporter conversing with campaign manager Marttila not long after the election remarked that what it represented was the emergence of a pattern of extreme reaction. Marttila was obviously startled. In a moment though, he began smiling as the reporter explained that what he meant was a reaction—or, better, a reactivation—of popular democracy, the town meeting modernized, which has constituted both the theory and practice of U.S. politics from the beginning. "Yes," said Marttila, "Drinan, and all of us, think we have found a method of restoring in our times government to the people."

It is difficult to draw anything but that conclusion from the success of the citizens' movement that sent Drinan to Congress. But are the Third Massachusetts District and Drinan himself special freaks of politics? Or do his nomination, campaign and election prove the existence of a political sentiment which could elect, given the ingredients that went into the Drinan campaign, not only other such Congressmen but Senators of like principle and a President as well? We shall see, because the try is going to be made.

Jerome Grossman, a successful Boston businessman and originator of the Vietnam Moratorium concept in the summer of 1969, was a major strategist, architect and the chief fund-raiser of the Drinan candidacy. He, together with colleagues, plan to start very soon to build a national caucus that can nominate a Presidential candidate who, like Drinan, stands unequivocally for peace in Vietnam, for disarmament, and for the dissolution of the "mind-set" of anti-communism. The plan is to put the caucus mobilization in motion as early in 1971 as possible, in order to unify peace-minded Americans behind a Democratic candidate who can be nominated at the convention and go on to defeat the presumed Republican candidate, Richard Nixon. Grossman says:

> The Vietnam Moratorium concept provided two lessons: (*1*) That no demonstrations, no matter how massive—millions across the country participated on October 15 and half a million were in Washington on November 15—were going to turn the war policies of Nixon around; and (*2*) that there were, indeed, many millions of Americans who wanted peace and might welcome the political opportunity to secure it.
>
> The Drinan campaign was, in one sense, a laboratory experiment that worked. Peace-minded voters were the base upon which the campaign was built. We intend to enlist the same base support in key areas all over the country to assemble citizen caucuses. These will test Presidential candidates, study their qualifications, hear them out in person, select one of them—and then tackle the all-important job of taking out of the hands of the political Establishment the controls by which delegates go to the nominating convention. Once that's done, the objective will be to send to convention the delegates who have participated in the democratic process of judgment and choice.
>
> Everything from here on depends upon the release of the political energies of the millions who can do nationally what citizens of the Third District did in Massachusetts. We are moving, in short, from appeals to the political powers that be to "give peace a chance," to committing ourselves to a free political enterprise that will make peace by its political success.

To which might be added some Drinan words: "A new public morality is needed. And political power should

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be exercised as moral power, not in the disposition that 'I am my brother's keeper' but rather, 'I am my brother's brother.' What is required is nothing less than a creative transformation of the international and domestic policies of this nation."

There may well be skeptics, certainly among professional politicians, who will regard the projections of Drinan and Grossman as impractical. (Maybe they ought to talk to Philip Philbin.) Prior to September 15 and November 3 there were plenty of skeptics in the Third District of Massachusetts. There don't seem to be many now.

I am reminded of a *New York Times Magazine* article of a few weeks ago, a very good one, wherein the knowledgeable writer-scholar Philip Green asked, after his recital of the evidence of authoritarian repression in the country, "Is it happening here?" By "it" he referred to fascism and the evidence he supplied answered "Yes." But the same answer to the same question, with only the "it" changed to "democracy," is furnished by the evidence of the election of Congressman Robert Drinan. Which way do we go from here?

And lest anyone protest that this scheme to give peace-minded Americans a chance to elect a President is the exclusive design of a few ambitious "leadership" characters, let me quote in full a letter, from one of Drinan's part-time volunteers, which was posted on the bulletin board of the Watertown office a few days after election:

> To all the Beautiful People at headquarters—Bravo!
> And don't go way.
> We need a new President and a few other things.

Would Congressman Drinan mind if I add: "Amen?" □

2. Black and White in Baltimore

PATRICK J. McCAFFREY

Mr. McCaffrey, a former reporter and editorial writer for the Baltimore Sun *and* Atlanta Journal, *is now writing a novel about contemporary Latin American politics.*

Baltimore

"People in Washington keep asking me what's the matter with Baltimore. How could they knock out two guys like that—committee chairmen?" The statement refers to upset victories won by anti-war candidates over Maryland's two powerful Congressional committee chairmen, George H. Fallon of Public Works and Samuel N. Friedel of Administration. The speaker, Edward A. Garmatz, Baltimore's third Congressman and himself chairman of the House Maritime Committee, had reason for dismay.

The matter with Baltimore is that, like many cities across the country, it is both losing population and rapidly gaining blacks. While its total has dropped 55,000 since 1950, the black population has risen from 227,952 to 402,750 (estimated), or from 24 to 45 per cent. This represents a net loss of 230,000 whites to the conservative suburbs. Whites who remain tend to be more liberal.

Thus the makeup of the present population in the city affects the political structure. Baltimore had long been dominated by bosses and machines, exhibiting a conservative bias and an air of chicanery. As can be seen by the recent elections, the growing black population and remaining liberal whites are uniting sufficiently to cause a minor revolution.

Of the two new Congressmen, Paul S. Sarbanes is a young Kennedy-styled comer, and Parren J. Mitchell is the state's first black Congressman. Taken with the election of the first black district attorney (Milton Allen) of a major city in the nation, this political shift is a repudiation of urban racism. In the state legislature, sixteen of the city's fifty-five seats will be filled by blacks, and white liberals hold more than twenty others, giving the two groups easy control if they work together. Maybe more important, blacks and white liberals forced an expansion of the Democratic State Central Committee in the city and elected a majority of its members. The committee fills vacancies and determines party structure and policy. Until recent years, it was controlled by the city's most powerful political boss, James H. Pollack. From absolute control of two of the city's six districts and a dominant voice in selection of high officials, his power has dwindled to less than a handful of legislators and not a single member of the committee.

The only discordant note in the election was the defeat of Sen. Joseph D. Tydings—and this was hardly the fault of the city which supplied him with a 57,000-vote plurality. Tydings' problems were a lack of fence mending and organizational support, and the accurate aim of the National Rifle Association.

The electoral success of Baltimore blacks and white liberals was won by more than mere numbers. In several areas, it was consciously sought through coalitions. The most impressive was in an inner-city legislative district where a black-white coalition swept fifteen of eighteen offices and swung a large margin of votes to the victories of Sarbanes, Mitchell and Allen. In doing so, the coalition outpolled the all-black and all-white tickets, the latter having once been the main cog in the district's conservative political machine.

Mitchell collaborated with at least four white liberal organizations in both the primary and general elections. In a district composed of 40 per cent blacks, 40 per cent Jews and 20 per cent WASPs, he eked out a primary victory over Jewish incumbent Friedel, a young Jewish challenger, and another black. In the general election, his Republican opponent tried to exploit resentment and racism. This appeal had particular force in a white, conservative suburban area of the district which held 25 per cent of the electorate. Two white, new politics groups came to Mitchell's aid there and held the GOP margin to a 4-to-1 ratio. Then two integrated organizations in

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Jewish and black areas and surprisingly strong labor backing helped deliver a 3.5-to-1 vote for Mitchell in the larger part of the district for an easy victory.

In areas of the city where black-white collaboration worked, it was based upon a combination of trust, organization and hard work. The white liberals and many of the blacks were veterans of the Tydings reform movement of 1964 in the state Democratic Party and the 1968 McCarthy campaign. They had worked together through years of moderate success and frustration, molding a strong nucleus and mutual respect. They had learned to work as a coalition rather than use one another on a token basis. Yet each profited from the relative strengths of the other in their respective areas.

Many blacks and whites involved in the collaboration feel that good organization and hard work were the most important factors in their victories. They used the old door-to-door politics and concentrated on the issues in which voters showed interest. "Voters don't think of themselves as liberal or conservative," said a white leader of the successful inner-city coalition. "If you select good candidates, orient them to the issues and come across with sincerity, people don't care about the political coloration of your organization."

This is new politics thinking, and it has special application in cities, which are made up of widely differing districts, containing whites and blacks distrustful of each other and of the empty promises of the old politics. Common denominators are needed to cut through the differences and the distrust.

The liberal surge and black-white coalitions have significant meaning for Baltimore's immediate political future. Success has strengthened the coalitions and promises well for liberals and blacks in councilmanic and mayoralty races next year. It has encouraged the city solicitor, a black, to begin gathering business and civic support for a mayoral campaign.

Also, control of the legislative delegation and the local party machinery give the coalition strong say in remapping the city's Congressional districts. The population loss will more than likely cost Baltimore a Congressman, forcing Garmatz out of a safe district to run against either Sarbanes or Mitchell. With the new city alignments, one can understand the dismay of a conservatively oriented, old-time politician.

Of course, what happened in Baltimore does not necessarily provide a lesson for other cities. But of the twenty-five major cities in the nation, twelve others are losing overall population while gaining blacks. Baltimore's experience indicates that the effectiveness of black-white coalitions depends upon how much each group needs the other, recognizes that need, and is willing to back it with trust. They tend to work better where there's a more even population split between blacks and whites. And that is the direction in which many cities are moving. □

PRESS SUBPOENAS

PRIVILEGE IN A TIME OF VIOLENCE

VINCE BLASI
Mr. Blasi, associate professor of law at the University of Michigan Law School, is director of the Field Foundation Study on Press Subpoenas.

> "We are special," Mr. Hilliard said recently. "We advocate the very direct overthrow of the Government by way of force and violence. By picking up guns and moving against it, because we recognize it as being oppressive and in recognizing that we know that the only solution to it is armed struggle."

That statement, by Black Panther leader David Hilliard, appeared in a December 1969 *New York Times* story under the byline of Earl Caldwell, a black correspondent for the *Times* who specializes in covering the Panthers. Two months later, a federal grand jury in San Francisco, investigating a broad (and undefined) range of Panther activities, served a subpoena on Mr. Caldwell. The subpoena ordered him to testify before the grand jury and to bring with him notes and tape recordings of his interviews over the previous year with Panther leaders.

Caldwell refused. He believed that he could not testify before the grand jury without irreparably damaging the confidential source relationships he had spent months building up. He was soon confirmed in this belief, as journalists from the *Times, Newsweek* and ABC found previously cooperative black militant sources in several cities no longer willing to talk.

Stanford law Prof. Anthony Amsterdam, one of the finest civil liberties lawyers in the nation, agreed to represent Caldwell. *The New York Times* and several other media organizations joined the litigation. A number of well-known journalists, among them Walter Cronkite, Eric Sevareid and J. Anthony Lukas, submitted affidavits supporting Caldwell's allegations concerning the delicacy of source relationships.

At the federal district court level, Judge Alphonso J. Zirpoli ruled that Mr. Caldwell was obliged to appear before the grand jury, but that he need not reveal "confidential" sources, associations or information, "unless such statements or information were given to him for publication or public disclosure." The judge also noted that he would "entertain a motion for modification of this order at any time upon a showing by the Government of a compelling and overriding national interest in requiring Mr. Caldwell's testimony which cannot be served by any alternative means."

The Zirpoli ruling was the first clear-cut federal court

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recognition of a newsman's First Amendment right to withhold confidential information. Nonetheless, it was unsatisfactory from Caldwell's standpoint because he was convinced that his mere attendance behind the closed doors of the grand jury would cast a pall of suspicion over him that would effectively incapacitate him as a reporter in the understandably hypersensitive black militant community. Under the district court ruling, as Professor Amsterdam's brief put it, Caldwell "must contend with adroit Government questioning in his efforts to keep his confidences intact. Perhaps he will succeed; but, if he does, no one will ever know that he has. All that the militants who have trusted him can know is that he testified before the grand jury and—unless the Government pursues him further—that he satisfied the grand jury."

The federal Ninth Circuit Court of Appeals has just granted Caldwell's appeal, ruling that "where it has been shown that the public's First Amendment right to be informed would be jeopardized by requiring a journalist to submit to secret Grand Jury interrogation, the Government must respond by demonstrating a compelling need for the witness' presence before judicial process properly can issue to require attendance."

The decision is significant in a number of respects. It is the best reasoned and most authoritative recognition to date of the basic concept of a newsman's First Amendment privilege. It extends the ambit of protection: a newsman may now be privileged from having to appear at all, rather than simply from having to answer specific questions. The decision establishes that the allegations and affidavits filed in the case concerning the feared drying up of sources are sufficient to activate the privilege, but it also suggests that the privilege will not be available to all journalists as a matter of course: "The rule of this case is a narrow one. It is not every news source that is as sensitive as the Black Panther Party has been shown to be respecting the performance of the establishment press or the extent to which that performance is open to view. It is not every reporter who so uniquely enjoys the trust and confidence of his sensitive news source." Finally, the court's statement that the privilege will not obtain when the government can show a "compelling need" for the information may turn out to be the decision's most distinguishing—and, from the newsman's point of view, debilitating—feature.

The Ninth Circuit's decision is only the most recent round in what promises to be a continuing controversy. The tension between the newsman's understandable need to honor confidences (which his professional code of ethics also requires of him) and the legal system's understandable need to obtain relevant evidence has smoldered for years. Newsmen argue that courts regularly exclude relevant evidence as a means of fostering other confidential relationships—e.g., husband-wife, attorney-client, physician-patient, informer-police, priest-penitent—and that, given the First Amendment's specific guarantee of freedom of the press, the newsman-source relationship deserves at least as much protection. In the last couple of decades, journalists have managed to persuade seventeen state legislatures to pass "shield laws," but these enactments protect only the identity of anonymous sources, not confidential information received from known sources. (New York's recently passed statute, the strongest shield law on the books, is an exception in that it protects both types of confidences.)

Conflicts are usually resolved out of court by negotiation, but every now and then they have burst into the limelight. One such instance occurred in the early fifties when gossip columnist Marie Torre printed some allegedly defamatory remarks about singer Judy Garland, attributing them to "a CBS network executive." Miss Garland subpoenaed Miss Torre, demanding the name of the offending source. The federal appeals court in New York rejected Miss Torre's claim of privilege (without altogether ruling out the possibility of a newsman's First Amendment privilege in other circumstances) and ordered her to identify her source. She refused, was held in contempt, and served ten days in jail. More recently, the managing editor of the University of Oregon student newspaper chose to pay a $300 fine rather than identify her sources for a story on student use of marijuana, and Truman Capote served a few days in jail for refusing to disclose the content of his confidential interviews with prisoners.

Supporters of the privilege point out that outcomes of this sort are unsatisfactory for all concerned: the court never gets the sought-after information and the journalist winds up paying a personal price for maintaining his professional effectiveness (partially offset, in some instances, by the enhancement of his reputation among his sources). However, should the courts decide to mete out much heavier contempt penalties (under a civil contempt citation a court can keep a witness in jail indefinitely, until he complies with the subpoena), journalists may be willing to save their confidences by such personal sacrifices—although Mark Knops, editor of a Madison, Wis., underground newspaper, has been in jail for more than two months and still refuses to testify concerning the bombing of the University of Wisconsin Mathematics Research Center.

The absence of a privilege is unsatisfactory to newsmen in at least one additional respect: the matter of cost. Alexander Hehmeyer, general counsel for the Chicago *Sun-Times* and *Daily News,* estimates that those newspapers have expended more than several hundred man-hours in negotiation and voluntary cooperation with litigants. "Unless some variant of a privilege is recognized by the courts," says Mr. Hehmeyer, "our ability to cover the news will be impaired from a budgetary as well as a source-relationship point of view."

In response to these observations, and also to the angry protests and conspiracy theories that flourished last spring after the Justice Department began subpoenaing newsmen with greater regularity, Attorney General Mitchell sought to placate the press by issuing a set of protective "guidelines." Under these guidelines, government attorneys will seek subpoenas on the press only with the express authorization of the Attorney General and only after negotiations with media representatives have failed. In "the great majority of cases," the Attorney General will not authorize a subpoena request unless:

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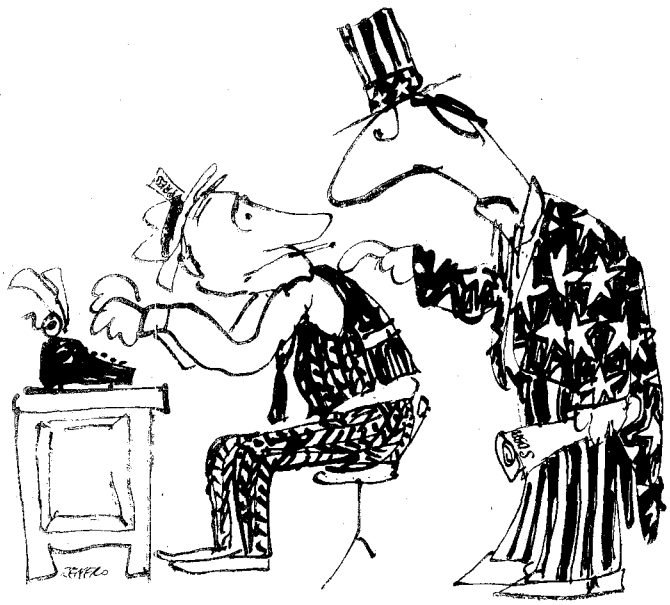
(*1*) there is "sufficient reason to believe that a crime has occurred"; (*2*) "the information sought is essential to a successful investigation," and (*3*) the government has "unsuccessfully attempted to obtain the information from alternative press sources." Furthermore, "authorization for requests for subpoenas should normally be limited to the verification of published information and to such surrounding circumstances as relate to the accuracy of the published information." Newsmen would be more reassured by the guidelines if they were gently sprinkled with such qualifiers as "normally" and "whenever possible," and then drenched by the concluding sentence: "It must always be remembered that emergencies and other unusual situations may develop where a subpoena request to the Attorney General may be submitted which does not exactly conform to these guidelines."

The guidelines were probably intended by the Justice Department as a genuine gesture of conciliation, if for no other reason than the hope that they would forestall a court solution that might be more favorable to the press. But even if the guidelines were less riddled with qualifying language—and even if newsmen were less suspicious of the Nixon Administration—pressure would



be strong for a judicial resolution of the subpoena controversy. For one thing, many reporters, particularly those covering radical and militant beats, feel that even his *pro forma* appearance in court to verify the accuracy of his stories is likely to damage seriously a newsman's standing among sources. The guidelines, moreover, cover only subpoena requests by the federal government; in recent months, many of the demands to the press for confidential information have come from civil litigants (usually libel plaintiffs), criminal defendants and state law-enforcement authorities. The Ninth Circuit's *Caldwell* decision and the numerous other disputes that have reached the litigation stage suggest that a rather comprehensive judicial treatment of the problem is in the offing.

The Justice Department has announced that it will appeal the *Caldwell* ruling to the Supreme Court. (Actually, this may be a tactical mistake from the government's standpoint: opponents of the privilege might have been well advised to wait for a stronger test case, against an adversary less formidable than Professor Amsterdam, before a more "Nixonized" Supreme Court.) In any event, if the Court decides to hear the case, it is unlikely that its decision will put to test the general controversy. From a constitutional scholar's point of view, the problem is one of absorbing complexity; it is likely to occupy the Court's attention for some time to come.

The issue is troublesome even for those who favor a literal, "absolutist" reading of the First Amendment. Does freedom of the press encompass the right to acquire information (here by means of maintaining confidential source relationships), as well as the right to publish all information acquired? If so, do newsmen then have a First Amendment right of access to committee hearings and documents that the government would prefer to keep secret? Is the President constitutionally obligated to hold periodic press conferences? Is the allocation of press passes likewise a problem of constitutional dimension? Does the First Amendment prohibit judges from instructing lawyers, parties, witnesses and jurors not to talk with the press?

Moreover, who qualifies as a "newsman"? In the Madison bombing case, the government originally contended that the underground press should not be entitled to assert the privilege, but reporters for the establishment media, including *The New York Times*'s Lesley Oelsner, are quick to point out the unfairness of any such distinction. Even if underground papers are brought within the ambit of the privilege, there remain other publications which present tough questions: trade journals, newspapers and magazines published by organized political groups such as the Black Panthers and the American Legion, scholarly journals. Researchers, in particular, feel a strong need for a privilege; sociologist Michael Useem of Harvard, for example, had to modify the research design for his Ph.D. dissertation on draft resisters because of his own fears and fears expressed by his sources that attempts might be made to obtain some of the sensitive information given him.

Further complexities enter in when, as has been uniformly true to date and seems likely to continue, courts are unwilling to grant newsmen an absolute privilege. A privilege can be qualified in a number of ways, and press functioning in the future will depend to a large extent on which qualifying approach is adopted by the courts.

One possible approach is to limit the privilege, as did the Ninth Circuit in *Caldwell*, to special confidential source relationships of unusual sensitivity and uniqueness. In addition, as the *Caldwell* decision also provided, privilege requests might be refused whenever the government can demonstrate a "compelling need" for the information. In denying a subpoena request from criminal defendant Bernadine Dohrn, Cook County Circuit Judge Louis Garippo granted the Chicago news media a qualified privilege which could be overridden upon a showing (*1*) of "probable cause" that the particular news medium has relevant evidence; (*2*) "that the use of the subpoena is the only method available for obtaining that evidence";

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and (*3*) "that the nonproduction of that evidence would cause a miscarriage of justice."

The serious drawback with all of these suggested qualifications is that the variables are unknown at a critical point in time: when the journalist establishes contact with his source. Reporters claim that sources will refuse to talk unless they can be given an unequivocal, unconditional assurance of confidentiality. To the extent that this claim is accurate (Columbia journalism Profs. Richard Baker and W. Phillips Davison are currently engaged in an empirical research project attempting to measure this drying up phenomenon), it suggests that the privileges should be qualified in such a way that the exceptions are known to newsmen and sources at the moment of contact. Thus, for example, a reporter could approach a source with the following promise: "Everything you tell me will be absolutely and unconditionally confidential except for information pertaining to planned future crimes of violence and the whereabouts of fugitive felons. Also I will have to testify if I am the only eyewitness to a crime." A qualified privilege phrased in this manner would not be entirely free from interpretative difficulties, but it would give journalists a good deal more to go on than the Ninth Circuit's standard, which asks them to pattern their behavior around a number of incalculable contingencies.

Finally, the kind of privilege newsmen ought to have may vary, depending on who seeks the information. One of the judges in the *Caldwell* case suggested that a newsman's obligation to appear before a grand jury should be greater than his obligation to appear in civil litigation or before *ad hoc* or specialized investigatory commissions. Congressional investigations present a still different problem: apart from requiring certain procedural safeguards, courts traditionally have been reluctant to interfere with legislative inquiries (even the invidious escapades of HUAC). The defendant in a criminal case, unlike the prosecutor and unlike civil litigants, has an explicit constitutional right "to have compulsory process for obtaining witnesses in his favor," which may suggest that newsmen should have a more circumscribed privilege against subpoenas from criminal defendants. Libel plaintiffs who are "public figures" may also qualify for special treatment because under a landmark Warren Court decision they cannot recover unless they can prove that the defendant acted with reckless disregard for the truth, a difficult task if the defendant can hide behind anonymous sources and off-the-record background information.

The Ninth Circuit's *Caldwell* opinion, therefore, can in no wise be considered a definitive resolution of the press subpoena controversy, and should even be viewed with some misgivings by reporters who seek a meaningful constitutional protection for their source relationships. □

UNCORKING THE SUEZ

GWINN OWENS and STANLEY A. BLUMBERG

Mr. Owens, a free-lance writer, is editorial director of WJZ-TV, Westinghouse Broadcasting Co. in Baltimore. Mr. Blumberg, a Baltimore businessman, writes on economic subjects for the Baltimore Evening Sun.

Defense Minister Moshe Dayan may have brought with him to the United States a feasible plan for relieving the protracted and increasingly dangerous impasse in the Middle East. It is to make the Suez Canal itself the basis for peace. The undoing of complex hostilities and the nuances of honor demand such a catalyst. Specifically, a reopened canal, operated by Egypt for all nationalities, could provide at least a partial substitute for the Arab delusion that Israel can be eradicated.

There are many signs that the climate is changing to the point where Israel might make such an offer. With Nasser gone, Egypt is of necessity turning inward, and President Anwar Sadat nervously proffers to his people not supernational glory but domestic reforms. The Soviet pilots have pulled back their MIG-21s from the canal area to bases near Cairo and Alexandria, apparently because, at the moment, a coup against Sadat is a greater threat than an attack from Israel. Concurrently, the Meir government has eased up on its insistence on a missile rollback as a prerequisite to peace talks. And for what it is worth, embattled King Hussein has been having secret talks with Israeli Deputy Prime Minister Yigal Allon.

This general situation makes the possibility of reopening the canal a tempting bargaining point for resumption of the peace talks supervised by United Nations mediator Gunnar Jarring. All General Dayan is prepared to propose formally during his U.S. visit is a willingness to resume the talks, provided there are no preconditions, and assuming an adequate flow of American military aid to Israel. His own plan for a mutual pullback from the Suez as a first step in reopened talks failed to generate any enthusiasm in the Israeli Cabinet. There are rumors that he considers the canal itself another possible bargaining point.

Here, the United States has an opportunity, whether General Dayan proposes it or not. To restore the Suez Canal as a major waterway should appeal to both the warring parties and to the looming superpowers. In the immediate future, the United States has the most to lose from a reopened canal, but the long-run benefits tend to offset the short-run disadvantages.

The principal factor for the United States at the moment is the war in Indochina. With the canal blocked, the route of Russian arms from the Black Sea to Hanoi is costly and slow, and any deterrent to this flow is looked upon with favor by American military planners. At the same time, the flow of oil to the United States has been maintained by supertankers that could not use the canal even if it were opened.

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On the other hand, the State Department must weigh the advantages to the Soviet Union and North Vietnam against the possibility of a new flare-up in the Middle East, with its inevitable danger of big-power confrontation. If a reopened Suez can be a reasonably strong move toward peace in the region, it is difficult to imagine that the United States would reject it.

As for the Soviet Union, the advantages of uncorking the eastern Mediterranean are obvious. In fact, some time in 1968 the Soviets sent several dredges through the Dardenelles to Alexandria, in apparent preparation to open the canal unilaterally. Dayan, with Israeli *chutzpah*, warned that any such effort would be opposed by force. The dredges went home.

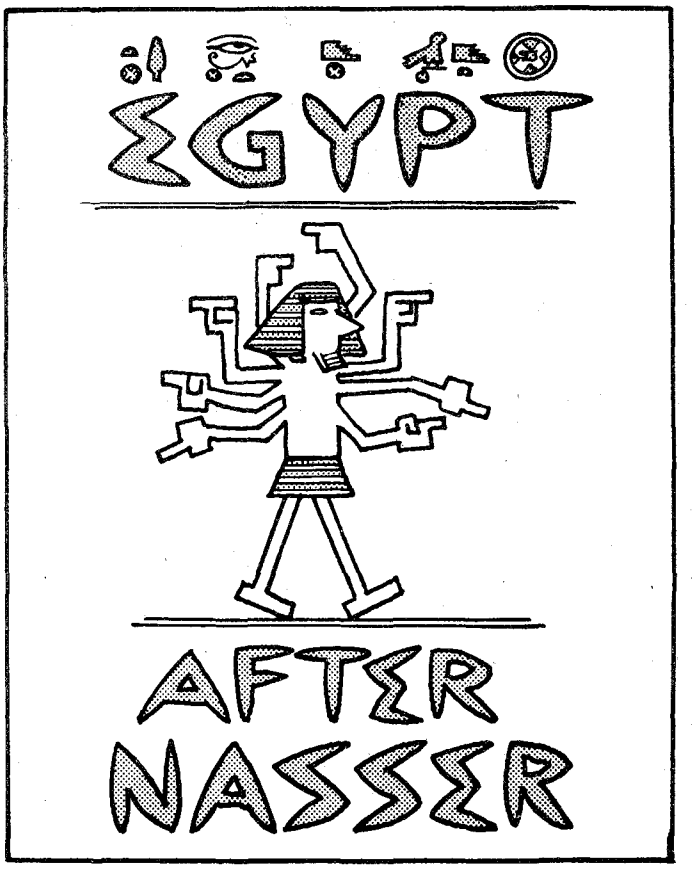
In recent months the Russians have asked several contractors in Western Europe for bids on the job. Whatever their ultimate plans for mischief in the Middle East, they would obviously prefer to operate with the canal open.

For the combatants, principally Israel and Egypt, the canal is important both as a means to *rapprochement* and for its intrinsic economic and nationalistic value. During the height of the Egyptian-Israeli clashes prior to the cease-fire, the cost to Israel was a staggering $1 million a day. For Egypt the cost in money is not known, but in manpower it was, by Nasser's own admission, on the order of 500 casualties per day.

The direct economic benefits to Israel are difficult to measure precisely. The convenience of using the canal would be offset somewhat by the loss of revenue from the pipeline from Eilat to Ashkelon, now a lucrative bypass.

For Egypt there would be the benefit of revenues from users of the Suez route, but this would be secondary to the restoration of Egyptian and Arab self-respect. To the beleaguered Arabs, groping for honor, an all-Egyptian waterway would bring them both peace and the knowledge that they had won a concession for themselves.

Israel has made it clear that peace in the Middle East must ultimately be freely negotiated by the warring nations. Such a condition, however, does not preclude American and Russian initiative to bring about the reopening of the canal, and possibly even joint direction and financing of the project, so long as Egyptian and Israeli concurrence would ensue. With the Suez as a catalyst, full-fledged peace negotiations could result on all the points of conflict. □



Graham, Arkansas Gazette (Little Rock)

BLACK-LUNG RUNAROUND

DUSTY DEATH IN KENTUCKY

DAVID HOLWERK

Mr. Holwerk is an editor of the blue-tail fly, *a monthly journal of Kentucky politics and culture.*

Lexington, Ky.

The Coal Mine Health and Safety Act of 1969 was intended to make coal mining an occupation safe enough to be undertaken, and to compensate miners already disabled by their work. On November 21 about 500 miners gathered for a hearing in Clay County, Ky., to listen to testimony and express their discontent over the administration of the law. One of its chief provisions is the relief of miners who have suffered respiratory impairment known as black lung, from breathing the dust-laden air of deep-pit coal mines; but as the hearing progressed it seemed that it was easier to get the disease than to get compensation for it. [See *The Nation*: "The Black Lung Rebellion" by Robert Sherrill, April 28, 1969 and "Death by Runaround" by Stephen Cupps, August 31, 1970.]

The hearing, which was sponsored by the Clay County Poor People's Association, consisted of testimony by local miners and miners' widows about their difficulty in obtaining benefits under the black-lung provisions of the law. One of the chief complaints was the slowness with which applications are processed. Several miners who had applied in February 1970, during the first month that the law had been in effect, had yet to receive a decision about their claims. Other witnesses noted that their claims had been turned down for reasons they did not understand, and despite the fact that they suffered any number of symptoms of respiratory impairment.

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Statistics of the Social Security Administration's Bureau of Disability Insurance bear out the complaint of slowness in the processing of claims. As of November 6, only 22 per cent of claims from eastern Kentucky had been processed, and only 24 per cent of those from West Virginia, while the national average is almost double, at 43 per cent. The bureau's statistics also bear out the difficulty of obtaining benefits, particularly in eastern Kentucky. While only 20 per cent of claims in the rest of the nation have been denied, West Virginia miners are being turned down at the rate of 32 per cent, and the Kentucky rate is almost unbelievable—57 per cent of claims processed from eastern Kentucky have been denied.

Many persons who have been turned down are unsure of the reason. Much of this confusion was explored at the Clay County hearing by Dr. Donald L. Rasmusssen, a physician on the staff of the Beckley, W. Va., Appalachian Regional Hospital. According to Rasmussen, the question stems from the disability requirements of the black-lung legislation. At present, the law covers only individuals who are victims of pneumoconiosis, which is a lung disease caused by the continued inhalation of coal dust. Benefits can be paid only to miners who have pneumoconiosis in advanced or crippling stages, or who suffer from other conditions caused by pneumoconiosis.

"The problem with this definition of black lung," Rasmussen said at the hearing, "is that pneumoconiosis is a very, very hard disease to diagnose positively, and particularly through the means of X-ray, which is the primary method of the Social Security Administration." X-rays of individual miners apparently vary from exposure to exposure, and there is disagreement on just what pneumoconiosis looks like on film. The only other test accepted by Social Security officials is an examination for pulmonary function. Many miners, however, are not aware of this test, and it is not performed at all clinics and hospitals in the mountains.

But even if a doctor runs a pulmonary function examination and finds breathing impaired, there is no assurance that the claimant will receive black-lung benefits. "All we're allowed to look for is pneumoconiosis," Rasmussen explained. "That doesn't make sense. I can show you men who have been positively diagnosed as having pneumoconiosis who are not disabled at all. And I've seen men who don't have it who are totally disabled."

Rasmussen proposes dropping the pneumoconiosis requirement and adopting standards that take account of the overall respiratory function. Even this change would not necessarily assure fair treatment for disabled miners. The SSA's form letter rejecting a claim notably fails to mention the applicant's right to have an examination of pulmonary function as part of his appeal of the decision. It also includes no information on the actual findings by the miner's examining doctor. Widows of deceased miners are required to prove that their husbands died of pneumoconiosis or a related disease by presenting a death certificate, although most of the men who suffer from the disease have never been treated or diagnosed.

Nor is this attitude likely to improve. In 1972, administration of the program passes to the Kentucky Workmen's Compensation program, which means that the cost

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of the benefits will fall partially on the coal companies themselves. Many miners complain of "coal company doctors," who find almost no one disabled, and Rasmussen agrees. He said after the hearing, "A lot of doctors have made a lot of money from the coal companies."

The most discouraging indicator of the prospects facing applicants for black-lung benefits is, however, the attitudes of SSA officials themselves. Hugh Meade and Edward O'Brien, the top administrators of the black-lung program, refused to appear at the Clay County hearing, citing insufficient notice as the reason. They were, however, informed of the meeting a month in advance, and were urged to attend by Sen. Harrison Williams (D., N.J.) and Rep. Kenneth Hechler (D., W.Va.), two of the proponents of the Mine Health and Safety Act. They were also approached by Kentucky's two Congressmen for the area, Carl Perkins and Tim Lee Carter, but still refused to attend. Instead, they issued a set of misleading statements, of which one should serve as a sufficient example.

Meade and O'Brien claim that more than 100,000 persons are now receiving benefits, whereas only 25,000 claims have been denied. But the 100,000 beneficiaries include not only the applicants but also their families, and the families of miners run large. Denial of 25,000 claims, then, means denial of benefits to many times that number. There is no purpose to this juggling of figures except to obscure the kind of job SSA is doing.

SSA officials also express amazement at the number of applications they have received, and say that the flood of some 200,000 petitions accounts for the lag in processing. If that is so, prospects for faster action are poor. Applications are now being received at a rate of more than 3,000 a week, and there is no reason to expect them to slow down. A recently released study by the Kentucky Department of Health shows that miners in some Kentucky mines are breathing up to sixty-seven times the maximum amount of coal dust declared safe by the Coal Mine Safety Act. Stricter standards will go into effect on January 1, but they can scarcely be expected to arrest black lung since today even supervisors and foremen breathe 50 per cent more dust than the law allows. Moreover, study now under way to determine the effects of dust on miners in surface operations could create whole new areas of claims and litigation.

It is, of course, possible to make coal mining a reasonably safe occupation. England and the other European nations have almost eliminated black lung and provide good benefit programs for miners already afflicted. But getting laws enacted and enforced takes power and money. The United Mine Workers is the only organized voice American miners have; however it does not enjoy a reputation for militancy on matters of working conditions or disability compensation. There are many small organizations in various states, but they are purely grassroots groups, without great influence. No one is sure what is going to be done, either by dissatisfied miners or by the authorities, but everyone is a bit uneasy.

The history of violence in the mountains runs deep, and although no one was talking about it, the men who came to the Clay County hearing had hard eyes and an edge to their voices. For exactly what choices are now open to miners in Kentucky and the other Appalachian states is unclear. No one at the hearings had much hope for changes in the law or in its administration. The problem is certainly going to become worse, for small mines are opening every day in response to the rise in coal prices, and this can only mean that more miners will contract black lung. The number of mine accidents has risen in West Virginia, despite new legislation, and the dust level is still deadly high in the pits. A young man or a miner who is not yet disabled can remain unemployed or he can work in the pits, taking a desperate gamble with his future. The Coal Mine Health and Safety Act was supposed to have improved the odds, but it didn't. What it did do is as yet unclear. □

LETTERS *(Continued from page 642)*

The ten sat in the corridor and read aloud from the *Congressional Record* the names of the American war dead. . . . Finally, at noon, they were arrested and jailed. They were charged with obstructing government administration and with criminal trespass, and then released on bail.

They were tried before Judge Alfred Kleiman and a jury of six—four men and two women—for a week, the trial ending on Nov. 20. . . . Following a week of testimony, the jury . . . unanimously acquitted all of the ten of the charge of trespass. Judge Kleiman had earlier dismissed the charge of obstructing government administration.

Thus the jury sustained the constitutional right of persons to "petition for redress of grievances" by entering a government office building and demanding an audience with a federal official in charge. The right of petition is granted by the First Amendment in the same clause which guarantees freedom of speech and freedom of assembly. It is of equal stature. Peace workers may now be able legally to defend their presence on an upper floor of a federal office building under the free speech and assembly guarantees. Those who wish to follow the example of the ten should clearly establish that their mission is in good faith to petition for redress of grievances.

A corollary of the jury's verdict is that a government official may not convert a petition for redress of grievances into a criminal trespass simply by locking his door and thereby compelling the petitioners to wait in the public corridor, hoping that he may change his mind. . . .

The trial won an important victory for the American peace movement. Funds are needed, because expenses for the defense are outstanding. Checks should be drawn to "The Ten Who Remembered" and sent c/o E. Louise Mally, 54 West 16 Street, New York, N.Y. 10011.

E. Louise Mally, Coordinator
Interblock Council for Peace in Vietnam

poets' wars

Ann Arbor, Mich.

Dear Sirs: I find it deeply disturbing that so much valuable space in your Letters column should be devoted to a personal controversy between John Berryman and Hayden Carruth [Nov. 30]. Between politicians, yes; but when poets and other writers in an artistic field must descend to attack and defense, may we not be spared the consequences? The poems may be of earth-shaking importance for all I, a common ditch digger, know, but the controversy is not. Let us absorb in peace what we may of men's statements as men, and if they must fight, let them do so off the street in some lumberyard on the way home from school. The "last word," like the first, is still opinion.

Myron Wilder

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BOOKS & THE ARTS

Farewell to the Avant-Garde!

SOCIAL RADICALISM AND THE ARTS. *By Donald Drew Egbert. Alfred A. Knopf. 821 pp. $15.*

GEORGE WOODCOCK
Mr. Woodcock is a historian, biographer and literary critic. He has just completed a study of Aldous Huxley.

Social radicalism and radicalism in the arts are siblings that enjoy an uncertain harmony. Advanced writers and painters are often politically indifferent in proportion to their absorption in experimental work; it is even more frequent for social revolutionaries to be conservative in their artistic tastes or else indifferent to the arts. Revolutionary leaders who, like Mao, are passable poets or, like Trotsky, perceptive critics, are rare indeed; the aesthetic imperceptiveness of Lenin, the positively reactionary bad taste of Stalin, are what we are more likely to encounter among professional revolutionaries, and there is little sign that in this respect the New Left is better than the old. The fairly consistent encouragement which Mexican revolutionary leaders gave to the great experimental painters of their country is an almost unique episode in the relationship between the arts and left-wing politics.

Yet the resemblances between these two different radicalisms are evident, and, especially where the less authoritarian political groups are involved, a good many artists are drawn toward revolutionary movements. There is in fact a significant periodicity with which sympathy for social revolutionism has emerged in artistic circles. The French Revolutionary era, the years leading up to 1848, the 1890s, when anarchism became the favorite doctrine of the literary and artistic *avant-gardes*, the 1930s, and the present period of the waning 1960s and the dawning 1970s—every forty or fifty years since 1789 there has been a renewed radicalization of the arts in a political sense.

If we are to accept the arguments of Donald Drew Egbert, in the first volume of his monumental work, *Social Radicalism and the Arts*, that process has come to an end with the final closing of a historic circle. According to Egbert's view, the artistic *avant-garde* as we have known it in the 19th and 20th centuries emerged at the time of the French Revolution when the old aristocratic world, where the artist had his place within a system of patronage, came to an end. His employment having become insecure, his place in society marginal, he began to experience a sense of deep alienation from the new bourgeois-dominated world. Out of this alienation emerged the concept and the fact of an artistic and literary *avant-garde*, marching parallel to the social *avant-garde* (the name had originally been used by Saint-Simon in the political sense), and at times joining it in an alliance that was basically unstable since the ultimate aims of the social and the artistic revolutionary are always different, and the demands which the revolution makes of the artist are always in the end unacceptable. "It is largely interference with their art," as Professor Egbert justly remarks, "that sooner or later leads socially radical artists to become . . . disenchanted with the radical political movement they have joined."

As we have seen, Professor Egbert argues that the uneasy relationship between the social and the artistic revolutionary is drawing to a close. In spite of the manifestations of extreme radicalism in artistic circles during the 1960s, he suggests, the experimental artist is in fact being accepted by bourgeois society, which means that his sense of alienation is vanishing, and the *avant-garde* in the old sense of a bohemian elite of experimental artists who defy majority society is fast becoming obsolete. The well-known absorptive powers of contemporary Western society are neutralizing the old currents of rebellion in the artistic and intellectual world, and this is happening not merely in North America and Britain but also in the very citadel of the artistic *avant-garde*, France —where Egbert puts a far less revolutionary gloss on the events of 1968 than do many other commentators. For he sees in the reforms of the French academic system carried out by Malraux and his associates after the Paris fighting of that year the effective removal of the causes that led to two centuries of conflict between artists and the Philistine community:

> With the shattering by the de Gaulle government of the official academic tradition that had brought about, and so largely kept in being, the alienation of the artistic avant-garde, the term "avant-garde" had more than ever lost its traditional meaning. From that time on, a new term, or radically new meanings for the old one, would be required.

This of course is a highly debatable conclusion. There is no doubt that in recent years the products of the visual arts in particular have tended to become commodities, channels for investment unrelated to the investor's degree of appreciation, and that artists have to a great extent become the employees of those powerful entrepreneurs and dictators of fashion, the dealers and museum directors. It is true also that the more socially radical of the artists and writers active today—the bards and banner makers of the New Left—have in general confined their artistic radicalism to faded imitations of past experimental movements. If social radicalism is still on the flood tide, artistic radicalism seems in 1970 on the ebb. But it is surely a simplistic view to assume a finality in this situation. Enslavement to the art market and to art fashions is likely to lead sooner or later to a new alienation, a new radicalism of the arts, a new *avant-garde*. The process seems inevitable until we evolve some far more organically integrated society than that which seems probable for the near future.

Nevertheless, Egbert's theory gives *Social Radicalism and the Arts* a splendid formal consistency; it is, if one accepts his assumptions, all there, and the years to come will confirm his terminal conclusion. But even setting aside the sense of assurance provided by such a neatly circular plan, he has written an impressive book. By the time the further volumes on Russia and the Americas have been written, we should have an astonishingly complete picture of radical art from David in the French Revolution to the New Left in the 1960s.

Social Radicalism and the Arts is the offshoot of a plan to write a book in a series on the Communist influence in American life, undertaken with the sponsorship of The Fund for the Republic. It is clear that the general trend of the book has moved far away from this first intent, but a vestige of its

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SOUNDINGS

the drowned cringe
in the dark under
the sea-stair
weed shrouded blue and green
hair muscles bones steel
flaking wood iron nails
chronometers and china plates
sharks will eat
everything
and seamen know
that gulls will eat men's eyes.

Paul Schiffman

origin remains, since a considerable early section is devoted to examining the slight and often puzzling pronouncements of Marx and Engels on the arts. In fact, the main contribution Marx made to the radical view of the arts in the 19th century was his adoption of the concept of alienation already formulated by French thinkers during the Enlightenment, and his development of it in such a way that it could later be applied to the artistic *avant-garde*.

But on balance the roles of Marx, Engels and their followers in developing a concept of art during the past century have been negative; the Marxist assumption that the arts must serve the revolution has led with a mechanical kind of inevitability to the almost complete enslavement of the arts to propaganda in Russia and China, and to a lesser degree in other Communist countries. In practice, it is the anarchist tradition developing from Proudhon, Bakunin and Kropotkin that has been most attractive to artists, and has led them into the least frustration—largely because the anarchists have been less tempted to set rules to artistic radicalism and more inclined to accept art for what it is as it comes from the hand of the artist.

Country by country, Egbert examines the record, devoting his longest section to France, with its rich variety of political and artistic radicalisms, and its primacy in the revolutionary tradition. Next in importance he places Britain, with its own dissenting radical tradition, and its contribution, through Ruskin, Morris and their followers, to the theory of art's social relevance and to the development of its more collective forms, such as architecture, town planning and the design of utilitarian objects. It is in just such areas that the clear influence of social radicalism on artistic practice can be seen, and Egbert traces admirably the role which the utopian Socialists played, with their plans of ideal communities and towns, in preparing the way for architects like Le Corbusier and Sullivan and for the British garden-city movement, with its wide ramifications. Here the chapter on Germany, with an excellent discussion of the Bauhaus, its influence and its political links, finds its place. The one country unjustifiably neglected is Spain; Egbert refers to Picasso's Spanish years and to some of the *avant-garde* currents in Barcelona, but he has nothing to say on the influence of social radicalism on early 20th-century Spanish literature, or on the upsurge of poetry and the more public forms of the visual arts during the Civil War. Indeed, he tells more about British poets in Spain at that time than about Spanish poets.

The detail packed into *Social Radicalism and the Arts* is encyclopedic, and if the other volumes are as bountiful and well planned as this, the whole book will long be the definitive work in the field. But encyclopedic works have their omissions and errors, and this one is no exception. It is much weaker in literature and music than in the visual arts, and in theatre perhaps weakest of all. Many British writers, like Alex Comfort and, later, John Wain and Kingsley Amis, who were important in bridging the gap between social and artistic radicalism, are omitted, and, while the Communist *Left Review* is discussed at length, its anarchist counterpart, *Now*, is ignored.

Egbert is also rather shaky on his history and definitions of anarchism which, given the prominence he accords this doctrine, is unfortunate. He persists in tracing its origins to Fourier, when in fact the *Enragés* of the French Revolution were the true ancestors of European anarchism (and Godwin and Winstanley of English). Fourier was only one of a number of influences, later rejected, which played an early part in developing the ideas of Proudhon, the real father of French anarchism and the author of one of the earliest treatises on art from the social radical point of view—*Du Principe de l'art,* completed after his death by Gustave Courbet. Egbert is moreover too lavish in his distribution of labels. Men like Peter Lavroff and Sergei Stepniak, Russian constitutionalist revolutionaries, are classed as anarchists, and a writer or painter has only to say once, "I am an anarchist," or to subscribe to an anarchist paper, to have the label slapped on him, so that the tradition, amorphous at best, is expanded to include such varied and conflicting figures as Wyndham Lewis, Roger Fry and Stéphane Mallarmé.

But these are, really, minor quibbling points in discussing a book which offers so much information (some of it very curious), which lays down so clearly the general lines of the subject, and which sets going so many provocative trains of thought.

Perhaps the most important question it leaves in one's mind is just how far artists are really affected by the radical social ideas that stir their sympathies. Architects, furniture designers, town planners and graphic artists are obviously affected a great deal, since they deal primarily with man in a social setting. Even the writer, always the prisoner of his content, is often deeply influenced; Orwell once remarked that without a political purpose he wrote "lifeless works," and there are many like him. But the painter, the musician—how far are their artistic rebellions provoked or sustained by social rebellion? Would they not have rebelled and experimented artistically without the stimulus of social radicalism? Very often the symbiosis between the social and the artistic orders is too difficult to analyze, but perhaps most cases are like that of Courbet, who was filled with enthusiasm for Proudhon's theories of art and society, but only because they expressed in writing what he had independently developed as an artistic radical in paint. □

Growing Pains

THE BLACK PANTHERS SPEAK. *Edited by Philip S. Foner. J. B. Lippincott Co. 274 pp. $6.95. Paper $2.95.*

CHARLES LAM MARKMANN
Mr. Markmann is a journalist, critic, novelist and translator. His latest book, The Noblest Cry *(St. Martin's Press), is a history of the American Civil Liberties Union.*

"Every time a British soldier is killed in Palestine," the late Ben Hecht wrote in 1947, "a little flame of joy leaps up in my heart." The spirit of this book is not much different.

In *The Black Panthers Speak,* Professor Foner, who teaches Black History at Lincoln University in Pennsylvania, has brought together a comprehensive collection of speeches by Black Panther leaders, articles from the party's publications, interviews with party personalities reprinted from a variety of periodicals, a history of the campaign to suppress the party, written by its white lawyer, Charles B. Garry, and protests on its behalf by the American Civil Liberties Union and the New York Group of the Society for Philosophy and Public Affairs. All this follows a terse preface by Julian Bond, a long int[redacted]

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the editor, and the Black Panther Party's own statement of its platform, program and rules.

It is not easy for a white to discuss this book. Certainly it is difficult for a commentator of any color or persuasion to take exception to the standards of personal conduct that the party sets for its members: indeed, one could wish that all parties of whatever doctrine adhered to comparable standards. The October 1966 statement of the party's platform and program (which, like many Black Panther manifestoes, concludes with the Declaration of Independence) is almost as unexceptionable: it is factually wrong in its statement that the Constitution establishes the right to be tried by a jury of one's peers; and its proposals that all blacks be exempt from the draft and that the United Nations conduct a plebiscite among United States blacks for the determination of their national destiny may legitimately be challenged on a variety of grounds. It is also noteworthy that the platform and program contain a frank advocacy of what the Panthers later came to reject as "cultural nationalism"—that is, a counter-racism. In this document there is only a hint of the class thinking that was later to be given so much prominence by party spokesmen who now deliberately emphasize the need and the duty of collaboration and even coalition with white radicals against a common enemy. At the same time it must be pointed out that by no means are all the party leaders and documents represented in Foner's book consistent in rejecting "cultural nationalism," and it would probably not be inaccurate to say that a fairly high assay of very understandable anti-white sentiment continues to flourish at all levels of the Black Panther Party.

The stridency of the greater part of the book is reminiscent of the propaganda of the Irgun Zvai Leumi and the Stern Gang. There is a delight in menace for the sake of menace, in denunciation for the sake of denunciation, a luxuriance of epithet so overgrown that it is both irritating and pathetic. And there is that casuistry, that propensity for the half-truths that may be inseparable from political action but are quite as antipathetic on the part of David Hilliard as they were coming from Wendell Willkie. Matters are not advanced, moreover, by deliberate rejection of the decencies of rhetoric on the part of persons who very obviously know better and who, while professing Marxism, reject the revolution's responsibility to educate in every sense the masses they so often invoke. It is no flattery of those masses—and no fulfillment of duty toward them—to address them in monosyllables.

One is compelled to all these disobliging observations by the very wrongs that the Panthers are battling. A democratic socialism in which racism is outlawed—from which, ultimately, racism will have been bred out—is more than urgently needed, and one cannot help asking whether naked aggression or counter-aggression will create it. Certainly the Panthers must fight back when they are physically attacked, and no honest man can find fault with their accumulating weapons toward that end. But violence that is not defensive, sexual-romantic terror on the Weatherman model, or kidnap-murders are hardly democracy or socialism, or means toward them. Ends do not justify means, but means too often corrupt ends.

There is evidence that many Panther leaders are acutely aware of this fact. Men like Bobby Seale and Eldridge Cleaver are, when they want to be, extremely articulate and realistic; but too often they prefer to abandon such qualities as if they were above the level of comprehension of "the street"—and in this, one ventures to believe, they do their followers a rank injustice and their cause much grievous injury. This book is full too of hero worship, of adulation of Huey P. Newton and Bobby Seale that is indistinguishable from that cry of thirty-odd years ago, "Mussolini is always right!" It is the women leaders of the Black Panther Party who are least tainted by this cult as they are least likely to fall into illogic and rant: the women's speeches and articles are notable for their concreteness and convincingness. This is especially true of Kathleen Cleaver, Linda Harrison, and a much older woman, Mrs. Jewel Barker.

One can also question the party's political judgment as it is expressed in this book. In its statement on establishing a united front with the Communist Party, the Black Panther Party declares: "We are adherents of Soviet democracy, the democracy of the toilers, the most consistent democracy in the world." Yet the Black Panthers consistently and rightly demand classless government and classless justice. Then, while their Minister of Education, Bay "Masai" Hewitt, calls for fragmented action—"The students cannot free the workers, the workers cannot free the students. Black folks cannot free White folks, White folks cannot free Black folks"—Eldridge Cleaver continues to urge collaboration and coalition among workers, students, blacks, Latins, whites and Orientals in the one indivisible cause.

The Black Panther Party has the opportunity to become an important radical party in this country—perhaps to lead the radical movement. The evils it attacks, like virtually all the goals it seeks, are beyond dispute. The potential membership available to it is huge and more nearly homogeneous than the potential following of any other party. A reserve of emotional support for it is being augmented almost daily by the criminal stupidities of its persecutors. At the same time, its own limitations threaten to stunt it. Rightly, it dismisses the shallow un-

IN THE MANNER OF A HYMN TO LOVE

I think of the nurturing places, my grand-
Father and his land
. . . who took me to the pasture (I being
Glad to go, being barely nine) where we found the mare
And her colt lying like stones in tall grass. The mare
Was quivering (now I know from shock and loss
Of blood) but oh
How much she seemed like a field of full-headed wheat
Sweating in the August sun.
I ran for the colt.
He was wet in newness; his eyes two worlds
Looking away from each other. In one eye
Appears me looking strange in dark brown fields.
In one eye
My grandfather, his hand inside *the mare.*
In one eye
The pyramids of Oxcala collapse like punctured lungs!
I sit among the lilacs, their spring flowers
Evolved into hard green shards. I spend hours
Tearing them apart. I become envious of rocks.
The nurturing places. . . . My thought of them comes
Like locusts swarming over September stubble.

David Martinson

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realities of so much of "the movement" among whites, just as it explodes the notion of "black capitalism"; but it persists in unsubstantial rhetoric that offers no hope or even interest to the overwhelming majority of blacks who are neither militants nor middle class, and that keeps white sympathizers at more than arm's length. The Black Panther Party criticizes blacks who hold aloof from the anti-war movement, and simultaneously it insists that Vietnam is irrelevant. It contends that all the oppressed of whatever race and color must make common cause, and at the same time it enforces separatism. It resents being patronized and it talks down to its recruits.

If this book represented the definitive canon of the Black Panther Party, its enemies could seize upon it as a fulfillment of the Biblical wish. Since its publication, however, there have been further developments—most recently the Panthers' so-called constitutional convention in Washington—that give ground for the belief that much of what is destructive in the party, as demonstrated by some of the matter in this book, is being discarded, and that its political maturation is accelerating. □

Art Books of 1970: Part I

LINCOLN KIRSTEIN
Mr. Kirstein is General Director of the New York City Ballet.

Ground rules, however brief, are needed in noticing art books for a nonspecialist weekly. Since current publication is so enormous, repetitive, confusing, here follow no listings of expensive coffee-table books which increasingly look and feel like furniture. Certain artists (Rembrandt, Van Gogh, Picasso), certain schools (Impressionism, Paris: 1900-40; New York: 1945-65), certain fads, like Andy Warhol (three whoppers) and Henry Moore (two blockbusters) are not assigned space they don't need, nor are half a dozen turgid recaps of 19th-century America, which add little to existent books and are not justified by their merely filling in half a decade.

An attempt is made to call attention to (relatively) inexpensive books of unusual interest, many from university presses whose budgets don't allow much advertising in *The New York Times* and which are ignored by mass-media weeklies. Some 200 books were inspected; without trying to start a free reader's service, I'd be happy to tell anyone with particular interests about books which may exist, unnoticed here. If one is genuinely tempted by the more costly surveys, he or she would do well to wait until next December, when they will be sure to appear in remainder houses or discount outlets. For those living outside New York, Marboro and Bookmaster have good catalogues. Quality of reproduction continues to improve; specialization broadens into unfamiliar fields; levels of humane scholarship are high. It will be seen that few museum monographs on contemporary artists get attention, since most gallery goers to one-man retrospective shows pass museum bookshops on their way. A recent fortunate development is general reissuing of important but long out-of-print specialist studies in not too expensive editions. Space does not permit mention of particular books, but catalogues will be gladly supplied by the following: Benjamin Blom, Inc., 4 West Mount Eden Ave., Bronx, N. Y. 10452; Collectors' Editions, 185 Madison Ave., New York, N. Y. 10016; Hacker Art Book Reprints, 54 West 57 St., New York, N. Y. 10019.

A second group of notes will appear next week.

Architecture and Urban Design

THE ARCHITECTURAL DEVELOPMENT OF ST. PETERSBURG: Its Development in the 18th and 19th Centuries. *From the Russian of I. A. Egorov. Translated by Eric Dluhosch. Ohio University Press. 45 text drawings, 18 halftone plates. 237 pp. $15.* This well-presented study of analytical intelligence behind one of the world's rationally planned cities is a prime exemplar of what (more or less) enlightened despotism could accomplish in its better days. Granting small thought to a disease-ridden marsh or slave labor, the planners of this city achieved a system of quays and canals, a homogeneous variety in polychromatic façades, a humane scale of roof heights that reflected and even improved on the most developed practice of Western Europe at the time. Anyone planning to visit Leningrad will find his enjoyment vastly increased by this book.

EQUIPOTENTIAL SPACE: Freedom in Architecture. *By Renato Severino. Praeger Publishers. 200 plates. 224 pp. $12.50. Paper $4.50.* This fine study by the adjunct professor of architecture at Columbia University presents results of research in prefabricated shelter systems and unorthodox uses of space hitherto considered wasteful. With imaginative elasticity and elegance, components of radical structures reflect the finest feel of Italian traditional craft, and give hope that the beehives and anthills we will shortly be required to inhabit yet hold promise of aesthetic refinement. In 1971, Professor Severino will have built the first entirely prefabricated high-rise apartment in the United States; we can be confident it will not only be practical but beautiful.

THE STUDY OF ARCHITECTURAL HISTORY. *By Bruce Allsopp. Praeger Publishers. 97 illustrations. 128 pp. $7.50. Paper $3.95.* This valuable investigation relates client, professional practitioner, taste, contemporary society, and the background of ideas and events which have contributed to architecture. Everything is seen in a context of epochs, not according to personal preference for particular monuments, but through the lens of historical relevance. Allsopp is a well-known English teacher and historian, with a cool, clear artist's eye which differentiates between sociology and aesthetics. Excellent illustrations from unfamiliar drawings and photographs.

Individual Artists

ERTE. *By Charles Spencer. Clarkson Potter (distributed by Crown Publishers).*

WHO ARE THE RIGHT-WINGERS?

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183 illustrations, 32 in color. 198 pp. $15.95. The fashion and theatre designer, Romain de Tirtoff, born in St. Petersburg, 1892, was popular for his monthly magazine covers of the twenties. A founding father of the style now known as Art Deco, his personal stamp of sinuous mannerism and luxurious fantasy is marked by delicacy, authority, splendor far above the sacred silliness of high camp. This well-written monograph, with good plates, demonstrates the merits of a minor but genuinely idiosyncratic character, deriving partly from Beardsley and Bakst. Both New York's Metropolitan and London's Victoria & Albert Museums have availed themselves of large groups of his original fine drawings.

RAPHAEL. *By John Pope-Hennesy. Phaidon. 246 reproductions, 12 in color. £5 15s.* Raphael has for long been obscured by the presumed overfamiliarity of half a dozen world-famous pictures reproduced as greeting cards. The eminent director of the Victoria & Albert, a Renaissance expert, in publishing his lectures (fourth in the Wrightsman Series at the Metropolitan) restores Raphael as an artist at whose work we have barely looked. With broad reference to ancillary art, before and after him, we are taught to observe great murals with fresh eyes. Suddenly, they seem to have been achieved by other hands than those responsible for the bland Madonnas. Taking nothing for granted, the author reveals Raphael, not as a victim of our grandfathers' sentimental predilections but as a strong presence.

LEONARDO AND THE AGE OF THE EYE. *By Ritchie Calder. Simon & Schuster. 48 color, 150 black-and-white illustrations. 288 pp. $12.95.* Lord Ritchie Calder, pioneer in scientific journalism, has produced a remarkable digest of each facet of Leonardo's extraordinary talents, projects and intellectual curiosity. This spendidly presented volume benefits from the author's scientific insight, which enhances his understanding of Leonardo as painter, experimenter and mind. Illustrations fit into each page of text; color, excellent. The best kind of popularization, inviting, clear, it relies on a mosaic of reference from the whole history of science and plastic art without being patronizing or simplistic.

J. S. SARGENT: Paintings, Drawings, Watercolors. *By Richard Ormond. Harper & Row. 96 pages of plates, 32 in color. 264 pp. $17.50 until January 1; thereafter $20.* SARGENT WATERCOLORS. *By Donelson F. Hoopes. Watson-Guptil. 32 color illustrations. 88 pp. $17.50.* Mr. Ormond, of London's National Portrait Gallery, a relative of this artist, has written a brief biography, superseding previous more massive studies. Sargent has long paid his price for world fame early in the century by being misprized since his death. Now we see that his best portraits can be set beside Van Dyck, Reynolds, Allan Ramsay, Gainsborough, while groups, like the Boit Children (Boston), the Sitwells (Renishaw), hold their own, as court painting, near Velasquez. His watercolors, here illuminated in a separate monograph, are recognized as pushing the medium to extremities of brilliant air and light. Sargent had links to Impressionism, his picture of Monet is fascinating. The painter's Boston murals are hardly touched on, however. They are worthy of another book.

HENRY OSSAWA TANNER: American Artist. *By Marcia M. Mathews. University of Chicago Press. 22 plates, 1 in color. 261 pp. $9.50.* This, in a series of Negro American biographies, tells of a pupil of Thomas Eakins with a parallel sensibility; he traveled widely in Europe and the Near East; his talent demands more than the small selection of work here reproduced. The biography is clear and shows Tanner (1859-1937) as more than token pioneer. He lived in Paris down the street from Gertrude Stein, but "modernism" had slight appeal for this sincere, skillful and successful painter.

THE SKETCHBOOK OF VILLARD DE HONNECOURT. *Edited by Theodore Bowie. Indiana University Press. 64 plates. 144 pp. $5.75. Paper $2.45.* Not strictly a brand-new book, but the excellence of format, rarity of medieval draftsmanship, intrinsic interest of hand and mind of this master recommends it. He seems to have been a Cistercian builder; anyone interested in construction of 13th-century cathedrals, preparation of pictures, and life itself will find Villard a wonderful companion on a visit to The Cloisters in New York.

HOGARTH ON HIGH LIFE. *The Marriage à la Mode Series from Georg Christoph Lichtenberg's* Commentaries. *Translated and edited by Arthur S. Wensinger, with W. B. Coley. Wesleyan University Press. 6 large engravings, numerous details. 208 pp. $35 boxed.* One of the finest art books of this year; an incomparable guide to the vision of a great artist, critic and epoch. Plates are magnificently reproduced in huge format; relevant details accompany text. Presentation is a masterful exposition of graphic method, making our eyes follow this painter's whole intent.

THE MASTER OF MARY OF BURGUNDY. *Introduction and Legends by J. J. G. Alexander. George Braziller. 112 plates in color and gold. 192 pp. $20 until Christmas; thereafter $25.* This precious small manuscript in the Bodleian Library, magnificently reproduced, bound, boxed, follows the same firm's *Très Riches Heures* of the Duke of Berry, in an exemplary series. Reproduction of gold leaf seems finally almost to have been solved, by transmission of light rather than metal dust. Texture of the entire book, parchment, exquisite painting of flowers, insects, people, is completely satisfactory. Great treasure in tiny space.

General

19TH CENTURY AMERICA: Furniture and Other Decorative Arts. *Introduction by Berry B. Tracy. Texts by Marilynn Johnson, Marvin D. Schwartz and Suzanne Boorsch. Metropolitan Museum of Art (distributed by New York Graphic Society). 296 illustrations, many in color. 372 pp. $14.95. Paper $5.95.* This is the catalogue for an important exhibition, one of several celebrating the Metropolitan's centennial year, surpassing in quality its sister show of painting and sculpture, while equaling the magnificent documentation of American engineering and architecture. The staff of the museum's splendid wing of American interior design and decorative art chose superlative objects, here lovingly described and reproduced with sparkle. The range of local styles, constant ingenuity in recension of European prototypes, as well as astonishing eccentricity and originality of native craftsmen are as odd as they are beautiful. There is no better listing of our handicrafted luxury furniture, glass, silver and ceramics. Technical coverage, together with the social and economic background, are in the service of the finest humane museological taste.

BEFORE CORTES: Sculpture of Middle America. *Catalogue by Elizabeth Kennedy Easby and John F. Scott. Introduction by Dudley T. Easby, Jr. Metropolitan Museum of Art (distributed by New York Graphic Society). 300 gravure illustrations, 24 color plates. 304 pp. $16.95. Paper $6.95.* A firm record of the greatest loan exhibition of sculpture, ancient or modern, ever to have been held in America. Experiencing the impact of the suite of museum rooms, miraculously transformed to suggest atmospheric conditions in Mexican temple

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- **GERARD PIEL** on *A World Free of Want?*
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precincts, was a physical sensation amounting to shock. Grandeur and horror in pre-Columbian existence through its implacable stone cutting and terrible focused mortality speaks in fresh blood. As one expert remarked: Egyptian sculpture is about The Corpse; Aztec carving about Murder. It reduces other historic styles to momentary blandness. The majesty of death in stone, the blinding gold work, miniature monumentality in every ceramic is caught vividly in this catalogue. The exhibition continues through the end of this year; no one spending time among its marvels will ever forget it.

MEXICAN CITIES OF THE GODS: An Archeological Guide. *By Hans Helfritz, Praeger Publishers. 113 photographs, 35 drawings, 10 plans. 180 pp. $6.95. Paper $3.50.* A practical systematic book for tourists, with good photos.

A HISTORY OF LATIN AMERICAN ART AND ARCHITECTURE: From Pre-Columbian Times to the Present. *By Leopoldo Castedo. Translated by Phyllis Freeman. Praeger Publishers. 224 illustrations, 43 in color. 320 pp. $8.95. Paper $4.95.* Adequate, inexpensive, it details European influences and the contemporary syntheses of national expression. As a whole, modern work seems no more provincial than Central European or Japanese, but architecture, particularly in Brazil and Mexico, justifies more attention than painting or sculpture.

CHURCHES IN ROCK. *By Georg Gerster. Phaidon. 145 black and white, 69 color illustrations. 346 pp. $29.50.* This rather expensive tome on a remote subject is, nevertheless, of capital interest. Brilliantly produced, its subject is early Christian cut-rock churches of Ethiopia's interior, which are electrifying for their architecture and murals. Photographic exploration was by light plane and helicopter to virtually inaccessible sites. The caves were brilliantly photographed and studied under arduous conditions; this book is an adventure by itself.

THE QUEST FOR THESEUS. *Edited by Anne G. Ward. Praeger Publishers. 190 illustrations, 23 in color. 281 pp. $13.50.* This follows *The Quest for Arthur's Britain,* and like it, is condensed, lively, well considered. It explores the growth of a possibly historical hero, via labyrinth, Mycenae, Crete and Plutarch, and the uses of the legend in art, from Poussin to Picasso.

FREDERICK THE GREAT. *By Nancy Mitford. Harper & Row. 150 illustrations, 48 in color. 304 pp. $15.* THE WORLD OF CHARLES DICKENS. *By Angus Wilson. The Viking Press. 213 Illustrations. 302 pp. $12.95.* THE EDWARDIANS. *By J. B. Priestley. Harper & Row. 200 illustrations, 48 pages in color. 302 pp. $15.* THE DREAM KING: Ludwig II of Bavaria. *By Wilfrid Blunt. Viking Press. 150 photographs, 48 in color. 264 pp. $14.95.* Strictly speaking, these similar productions are not "art books," but the quality, extent and interest of lavish illustration, and with Wilson, Blunt and Priestley texts, qualify them as relatively inexpensive, exhaustive monographs. Wilson casts a novelist's eye on the great world created by Dickens, his illustrators and contemporaries. Priestley combines a personal memoir with a delightful panorama from the end of Victorian England to the outbreak of World War I, and includes many exceptional and unfamiliar paintings from provincial museums, in the genre of urban life. The Dream King, Ludwig of Bavaria, Richard Wagner's neurotic patron, was a true heir of his spiritual grandfather, Louis XIV. Serious attention is paid his fantastic Nibelungen-Byzantine palaces.

NINETEENTH CENTURY MODERN: The Functional Tradition in Victorian Design. *By Herwin Schaefer. Praeger Publishers. 290 illustrations. 224 pp. $17.50.* Professor of the history of design, University of California, Schaefer has gathered a treasure of useful objects, utensils, furniture, ceramics, metalware. Instruments, mechanics, consumer goods, transport, glass, were sheared of redundant ornament in many examples which are contrary to ordinary ideas of Victorian overstuffed and endlessly ornamented artifacts. The stoic aesthetic behind these manufactures appear to be timeless and frequently coincide with what we consider clean machine design.

MOSAICS: A Survey of Their History and Techniques. *By Ferdinando Rossi. Translated by David Ross. Praeger Publishers. 114 plates, 52 in color. 200 pp. $18.50.* The author is director of Florence's Museum of Hard Stone Crafts, which include cut and inlaid semi-precious minerals, mosaic, and other techniques for richly combining stone and glass. A clear analysis of the stones, their cutting, polishing in their historic succession of taste. The sumptuous lapidary methods resulted in art as splendid as it is unfamiliar, a prime example of which is the stupendous monument of a table in the Metropolitan's department of decorative art.

MASTERPIECES OF GLASS. *300 illustrations, 4 color plates. 200 pp. $10.20.* ENGLISH BOOK ILLUSTRATION: 966-1846. *4 color plates, 4 black-and-white illustrations. 23 pp. Paper $7.15.* REPRODUCTIONS FROM ILLUMINATED MANUSCRIPTS. *50 plates. 30 pp. $4.25.* TURKISH MINIATURES. *By G. M. Meredith-Owens. 8 color plates. 32 pp. Paper $1.* THE DRAWINGS OF REMBRANDT. *By Christopher White. 20 black-and-white illustrations. 32 pp. Paper $1. (All British Museum Publications distributed in the United States by Columbia University Press.)* These monographs are typical of broad publication programs by the English museum establishment, which should be more available to Americans. While not absolutely new, none are older than three years. The catalogue of glass is better and far cheaper than several more of a classic collection. The book illustration brochure is large format, with good color plates. Beautiful, relatively inexpensive intelligent books.

THE TAIN. *Translated by Thomas Kinsella, from the Irish* Tain Bo Cuailnge. *Brush drawings by Louis Le Brocquy. Dolmen Editions IX. Distributed by Dufour Editions. Many drawings, reproductions of the original manuscript. 295 pp. $27.50.* Although not cheap, this strikingly beautiful book, printed in Ireland in luxurious format, is one of the handsomest examples of international production. Excellently designed and printed with witty marginal drawings by a leading Irish painter, translated by a good poet, the text presents the epic of the Hound of Ulster, known to most of us as Yeats's Cuchulain. The drawings recall Picasso's bullfighter series, but every page is well conceived, and as Le Brocquy writes, his aim was to shadow the text transparently. His suggestion of a host of fighters is precise, dignified and suggestive.

PRINTS AND DRAWINGS: A Pictorial History. *By Gottfried Lindemann. Praeger Publishers. 394 illustrations, 213 in color. 475 pp. $18.50.* This big, excellent compendium is fine value. Color plates exceptionally well chosen, many unfamiliar, beautifully reproduced. Emphasis is more on drawings than prints; the author, a German, transcends any parochial attitude, and he has looked through collections in Spain and even America. The finest selections are from France and Italy; his sections on these alone, which are judiciously allocated, make his book worth buying.

THE VIEW PAINTERS OF EUROPE. *By Giuliano Briganti. Phaidon. 255 plates,*

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57 in color. 327 pp. $35. An expensive book on a specialist subject, nevertheless the quality of pictures and text is so superior that it recommends itself over many more and less costly monographs. With photography usurping the function of traditional topographical rendering in paint, we tend to forget glories of European townscape through the 18th century. Venetians are famous, but Dr. Briganti has found many less known whose commentary on city life, the very airs of an epoch, are exhilarating. Every city, Rome to Amsterdam, Warsaw and Moscow, is annotated by eyewitness accounts which further illuminate the pictures. When travelers are Goethe, Casanova, Goldoni and Count Algarotti, reading and looking fuse in stereoscopic vision. A lovely book.

ON THE FUTURE OF ART. *Essays by Arnold J. Toynbee, Louis I. Kahn, Herbert Marcuse, and others. Sponsored by the Solomon E. Guggenheim Museum. Viking Press. Many illustrations. 134 pp. $7.50. Paper $3.45.* An important collection of considered statements by professional observers who, even when they are not practicing painters or sculptors, have eyes for objects in history. Their prognosis is hardly cheerful if the records of three millennia are taken as criterion, which should not surprise us as we skim the daily papers. However, if one can face the evaporation of manual dexterity and digital mastery with equanimity, this excellent book indicates the approaching vacuum, filled as it must be with sights and sounds only lichens and plant lice can see or hear.

OTTO WAGNER: 1841-1918. The Expanding City. The Beginning of Modern Architecture. *By Heinz Geretsegger and Max Peintner. Praeger Publishers. 295 illustrations, 6 in color. 276 pp. $25.* With Sullivan, Wright, Loos, Van der Velde, Wagner was innovator in technology and idiosyncratic analysis which subsume this century's most progressive architectural philosophy. Theirs was still the time in which artist-architects could achieve monuments; their energies were toward splendor rather than shelter; despite inertia of politicians and impatience of patrons, great building was achieved. Wagner, whose work is less known than others, was a master Viennese designer who made huge civic structures coinciding with the collapse of the Austro-Hungarian empire. If one can imagine an architectural accompaniment to the music of Richard Strauss, the paintings of Klimt and Scheile, Wagner is on their high level. This splendid Austrian tribute, produced in his city, is worthy of a powerful personality.

BEYOND HABITAT. *By Moshe Safdie. MIT Press. 46 photographs. 244 pp. $10.* The spectacular young Israeli who built housing units which were the star turn of Montreal's Expo, tells a wry, exciting and sensible tale of personal involvement in design, politics, aesthetics and trade-union power plays. His "Habitat" was a puzzle, a meditation on the monumental, not a total triumph, but no failure either, since its present rentals seem to have justified its eccentricity and cost. The future of housing is not simply a question of design but in the nature of society which protects featherbedding unions, and retardative zoning legislation that amounts to rigid artistic censorship as well as technological suicide. But when an almost unknown youth of 26 can persuade the Dominion of Canada to let him build pretty much the way he wants, maybe guts, vision, judgment can still save us. A splendid story, well designed and presented.

Books by Nation Contributors

We list below books published in 1970 by writers who have appeared in The Nation *this year. This compilation is a regular year-end feature.*

FLOYCE ALEXANDER. *Machete.* Lillabulero Press. Paper $1.

LAWRENCE ALLOWAY. *Violent America: The Movies 1946-1964.* The Museum of Modern Art. $7.95.

WALT ANDERSON. *Campaigns: Cases in Political Conflict.* Goodyear. $6.95. Paper $3.95.

Politics and Environment. Goodyear. $7.95. Paper $4.95.

DAVID ANTIN. *Meditations.* Black Sparrow Press. $3.50.

HARRIETTE SIMPSON ARNOW. *The Weedkiller's Daughter.* Alfred A. Knopf. $6.95.

JAMES ARONSON. *The Press and the Cold War.* Bobbs-Merrill. $8.

CAROL BERGE. *An American Romance.* Black Sparrow Press. $4.

PETER BERNSTEIN. *Economics in Wall Street.* The Macmillan Co. $5.95.

A Primer on Government Spending (with Robert L. Heilbroner). Random House. $3.95.

WENDELL BERRY. *Farming: A Hand Book.* Harcourt Brace Jovanovich. $4.95.

The Hidden Wound. Houghton Mifflin. $4.95.

JOHN BERRYMAN. *Love & Fame.* Farrar, Straus & Giroux. $5.95.

NORMAN BIRNBAUM. *The Crisis of Industrial Society* (reprint). Oxford University Press. Paper $1.75.

ROBERT BLY. *The Teeth Mother Naked at Last.* City Lights. $1.

Forty Poems Touching on Recent American History (editor). Beacon Press. $2.25.

WAYNE C. BOOTH. *Now Don't Try To Reason With Me: Essays and Ironies for a Credulous Age.* University of Chicago Press. $6.95.

ANDREW BOYD. *Holy War in Belfast* (2nd edition). Anvil Books (Ireland). $1.

ROBERT E. BURGER. *Out from Under.* Sherbourne. $6.95.

The Twilight Believers. Sherbourne. $6.50.

HAYDEN CARRUTH. *For You.* New Directions. $5.95. Paper $1.95.

The Clay Hill Anthology. Prairie Press. $3.50.

The Bird/Poem Book: Poems on the Wild Birds of North America. McCall Publishing Co. $5.

The Voice that Is Great Within Us: American Poetry of the Twentieth Century. Bantam Books. Paper $1.95.

ALAN CHEUSE (with Richard Koffler). *The Rarer Action: Essays in Honor of Francis Fergusson.* Rutgers University Press. $10.

RONALD CHRIST. *The Narrow Act: Borges' Art of Allusion* (reprint). New York University Press. Paper $2.95.

ROBERT CLAIBORNE. *Climate, Man, and History.* W. W. Norton. $8.95.

REESE CLEGHORN (with Pat Watters). *Climbing Jacob's Ladder* (reprint). Harcourt, Brace & World. Paper $2.95.

DAVID CORT. *Revolution by Cliché.*

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Funk & Wagnalls. $6.95.

JENNIFER CROSS. *The Supermarket Trap.* Indiana University Press. $5.95.

RICHARD T. DE GEORGE. *Patterns of Soviet Thought* (reprint). University of Michigan Press. Paper $3.25.

RICHARD DRINNON. *Rebel in Paradise: A Biography of Emma Goldman.* Beacon Press. Paper $3.95.

GEORGE G. ECKSTEIN. *USA: Die Neue Linke am Ende?* Carl Hanser (Germany).

THOMAS I. EMERSON. *The System of Freedom of Expression.* Random House. $20.

DAVE ETTER. *Strawberries.* Juniper Books. Paper $1.75.

RICHARD A. FALK. *The Status of Law in International Society.* Princeton University Press. $15.

The Future of the International Legal Order: Vol. 1. (Co-editor with C. E. Black.) Princeton University Press. $15.

C. P. FITZGERALD. *The Horizon History of China.* American Heritage Publishing Co. $22. (De luxe ed. $25.)

EDMUNDO FLORES. *Vieja Revolución, Nuevos Problemas.* Joaquin Mortiz (Mexico). 15 pesos.

RALPH FRIEDMAN. *A Touch of Oregon.* Pars Publishing. $2.95.

TODD GITLIN (with Nanci Hollander). *Uptown: Poor Whites in Chicago.* Harper & Row. $10.

Campfires of the Resistance: Poetry from the Movement. Bobbs-Merrill. Paper $3.95.

IVAN GOLD. *Sick Friends* (reprint). Bantam Books. Paper $1.25.

JOSEPH C. GOULDEN. *Monopoly* (reprint). Pocket Books. Paper 95¢.

ARTHUR GREGOR. *A Bed by the Sea.* Doubleday. $4.95. Paper $1.95.

RAMON GUTHRIE. *Maximum Security Ward.* Farrar, Straus & Giroux. $7.

MICHAEL HELLER. *Two Poems.* Perishable Press.

CHRISTOPHER HILL. *God's Englishman: Oliver Cromwell and the English Revolution.* Dial Press. $7.95.

PAUL M. HIRSCH. *The Structure of the Popular Music Industry.* Institute for Social Research (University of Michigan). Paper $1.50.

PAUL HOFFMAN. *Moratorium.* Tower Publications. Paper 95¢.

ANSELM HOLLO. *Maya: Works 1959-1969.* Grossman Publishers. $7.50. Paper $4.50.

DAVID IGNATOW. *Poems: 1934-1969.* Wesleyan University Press. $7.95.

JOSEPH E. ILLICK. *America & England, 1558-1776.* Appleton-Century-Crofts. $2.95.

CURT JOHNSON. *Best Little Magazine Fiction, 1970.* New York University Press. $7.95.

Short Stories from the Literary Magazines (with Jarvis Thurston). Scott, Foresman. $4.75.

NICHOLAS JOHNSON. *How to Talk Back to Your Television Set.* Little, Brown. $5.75. Paper (Bantam) 95¢.

WALLACE KAUFMAN (with William Powers). *The Writer's Mind.* Prentice-Hall. $4.25.

X. J. KENNEDY. *Bulsh: a Poem.* Burning Deck. $6.

MILTON KESSLER (with etchings by Robert E. Marx). *Woodlawn North.* Impressions Workshop (Boston). $45.

GALWAY KINNELL (translator). *Lackawanna Elegy* (Poems by Yvan Goll). Sumac Press. Paper $1.95.

LINCOLN KIRSTEIN. *Movement & Metaphor: Four Centuries of Ballet.* Praeger. $17.50.

RICHARD KOFFLER (translator). *The Appointment* (by L. A. Viola). Fawcett. Paper 60¢.

The Rarer Action: Essays in Honor of Francis Fergusson (with Alan Cheuse). Rutgers University Press. $10.

JAMES KRITZECK. *Modern Islamic Literature.* Holt, Rinehart & Winston. $10.

GREG KUZMA. *The Bosporus.* Hellric Publications. Paper $2.

DAN LEVIN. *Spinoza: The Young Thinker Who Destroyed the Past.* Weybright & Talley. $8.50.

HARRY LEWIS. *Crab Cantos.* For Now Press. Paper $1.25.

ENRIQUE HANK LOPEZ (as told to, by Sam Houston Johnson). *My Brother Lyndon.* Cowles Book Co. $6.90.

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GENE MARINE. *America the Raped* (reprint). Avon. Paper $1.25.

CHARLES LAM MARKMANN (translator). *The New Mission of Pope John XXIII.* (By Vittorio Gorresio.) Funk & Wagnalls. $5.95.

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Two Leggings: The Making of a Crow Warrior. Thomas Y. Crowell. Paper $2.25.

RICHARD J. NEUHAUS. *Movement and Revolution.* Doubleday. $4.95. Paper $1.45.

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Origins of Modern America . . . 1860-1900. Random House. $2.95.

The Segregation Era: A Modern Reader, 1863-1954. Oxford University Press. $7.50. Paper $2.95.

THEODORE WEISS. *The World Before Us: Poems, 1950-1970.* The Macmillan Co. $6.95.

CHRIS WELLES. *The Elusive Bonanza: The Story of Oil Shale, America's Richest and Most Neglected Natural Resource.* E. P. Dutton. $7.95.

The Money Managers (co-editor with Gilbert E. Kaplan). Dell. Paper $1.25.

KINGSLEY WIDMER. *The Ways of Nihilism: Herman Melville's Short Novels.* Ward-Ritchie Press. $7.

ROGER M. WILLIAMS. *Sing a Sad Song: The Life of Hank Williams.* Doubleday. $5.95.

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SCHUBERT: Songs. Dietrich Fischer-Dieskau, baritone; Gerald Moore, piano. Deutsche Grammophon 2720 006, $54 (twelve discs) and 2720 022, $58.50 (thirteen discs).

Any package that includes the first recordings ever of more than 200 Schubert songs can hardly be ignored, whatever one's reservations about the performances. The rationale behind the selection here seems to exclude songs basically unsuited to a male voice, the three great cycles (which this singer has recorded independently), and a few others; the order is the more or less chronological one of the Breitkopf und Härtel complete edition (published between 1884 and 1897, and recently reprinted in large format by Dover, in miniature size by Kalmus), which facilitates following the music. The only other extensive edition available is the Peters, which is neither complete nor even approximately chronological. The Breitkopf ordering has been subjected to some modification in recent years, but still corresponds reasonably well to the order of composition. Note, however, that Volume I contains the later songs, Volume II the earlier ones.

The motivation for this wholesale approach toward filling an obvious gap in the recorded literature would seem to be primarily economic. The point is often made in connection with such packages that no single performer can achieve equally satisfactory results in a series of works, and indeed the indivisibility of such sets represents a form of restraint of trade (although doubtless Deutsche Grammophon will later cannibalize these albums for assorted singles: "Fischer-Dieskau sings Schubert Nature Songs," "Love Songs," "Graveyard Songs," "Spring Songs"—the range of possibilities is enormous). What is more, nobody wants to (or, at any rate, *should* want to) listen to Schubert songs in job lots. Obviously, the idea is to interest the snob-appeal market: how impressive the spines of these two fat *Luxus-Cassetten* (as they are known in their country of origin) on the shelf in the living room, certifying one's appreciation of the finer things of life! As it happens, Fischer-Dieskau is the only *Lieder* singer well enough known to that market. Certainly, a team of singers would have been preferable—perhaps Elly Ameling for the light soprano items, Janet Baker for the heavier female songs, and a light tenor (I admit that I cannot name a satisfactory one), as well as a baritone—but this would have diluted the sales appeal in the mass market.

One probable result of dividing the labor would have been a closer identification with more songs than Fischer-Dieskau manages to achieve. He has recorded some 100 or so of these songs once before, and one assumes that most of these latter constitute his regular repertory, the songs he has performed with some frequency in concerts; the greater part of the remaining songs were presumably worked up for this project, and many of the performances are doubtless not far beyond sight-reading—although it must be emphasized that this is extraordinarily accurate and musicianly sight-reading. And with a number of the early songs, it is clear that not much more can be done, for the music is neither highly specific nor complexly dimensioned.

Perhaps the most rewarding aspect of the albums is the opportunity to observe Schubert's growth as a songwriter, as he turns from the early cantata-like ballads to short lyrics, which he then learns to invest with a richness and variety of textural and harmonic invention that form the basis of all that is to follow in this literature. For the listener not able to work his way through the Breitkopf volumes at the piano, these albums will be something of a revelation. And the number of first-rate songs that have escaped attention, both on records and in recital programs, is a depressing indication of the general lack of adventure on the part of singers. Among those that I particularly commend are: *Der Knabe in der Wiege, Blondel zu Marien, Nachthymne, Der Fluss, Die Sterne* (D. 684, not the famous later song of the same title), *Drang in der Ferne, Im Freien, Bei Dir allein,* and *Der Vater mit dem Kind.* (I might add that there are still other superb pieces not included in this set—e.g., *Berthas Lied in der Nacht,* a song of great harmonic subtlety.)

Another decidedly positive feature is the admirable balance between voice and piano; the extraordinarily rich and solid piano tone is placed on an equal footing with the voice, more so than in any recording I have ever heard of this combination. Gerald Moore plays with great accuracy and superb technique, quite belying the fact that he has now been "retired" for several years. It is thus all the more regrettable to report that Dieskau's vocal condition is decidedly less good than on most of his earlier recordings of Schubert: the tone harder and rougher, the pitch sometimes alarmingly unfocused, and the tendency to exaggerate dynamic extremes greatly increased. Whether this is indeed the result of singing too often in unsuitably large halls (and undertaking inappropriate operatic roles), or has some other explanation, the results are dispiriting in the context of one's living room—all the more so because of the realism and presence of the recording: it is as if one had an inappropriately noisy guest in the house.

A word about the packaging: each album contains a large brochure, with complete German texts and translations of all the songs; no credit is given for the translations, but internal evidence suggests that they were made by someone whose native language is not English. Each brochure contains an index of songs and notes on the poets—that with Volume II covering both sets.

For those who wish to supplement this set with additional songs and alternative performances, I append a list of some currently available recordings (unfortunately, only a fraction of the best Schubert recordings are now in the catalogue):

Ameling, Demus. RCA Victrola VICS-1405, $2.98.

Cuenod, Garvey. Cambridge CRS 1703, $5.98.

Hotter, Moore. Seraphim S-60025, $2.98 (with songs by Schumann, R. Strauss).

Lemnitz, Raucheisen. Urania 7013, $5.98 (with songs by Cornelius, Wolf).

Schwarzkopf, Fischer. Angel 35022, $5.98.

Souzay, Baldwin. Philips 900-007, $5.98; Philips 802-831-LY, $5.98.

And the three cycles (not included in the DG sets):

Die schöne Müllerin. Schiotz, Moore. Seraphim 60140, $2.98.

Winterreise. Pears, Britten. London OSA 1261, $11.96.

Schwanengesang. Hotter, Moore. Seraphim IC 6051, $8.94 (with a musical performance of *Winterreise,* marred only by a disregard for Schubert's original key sequence). □

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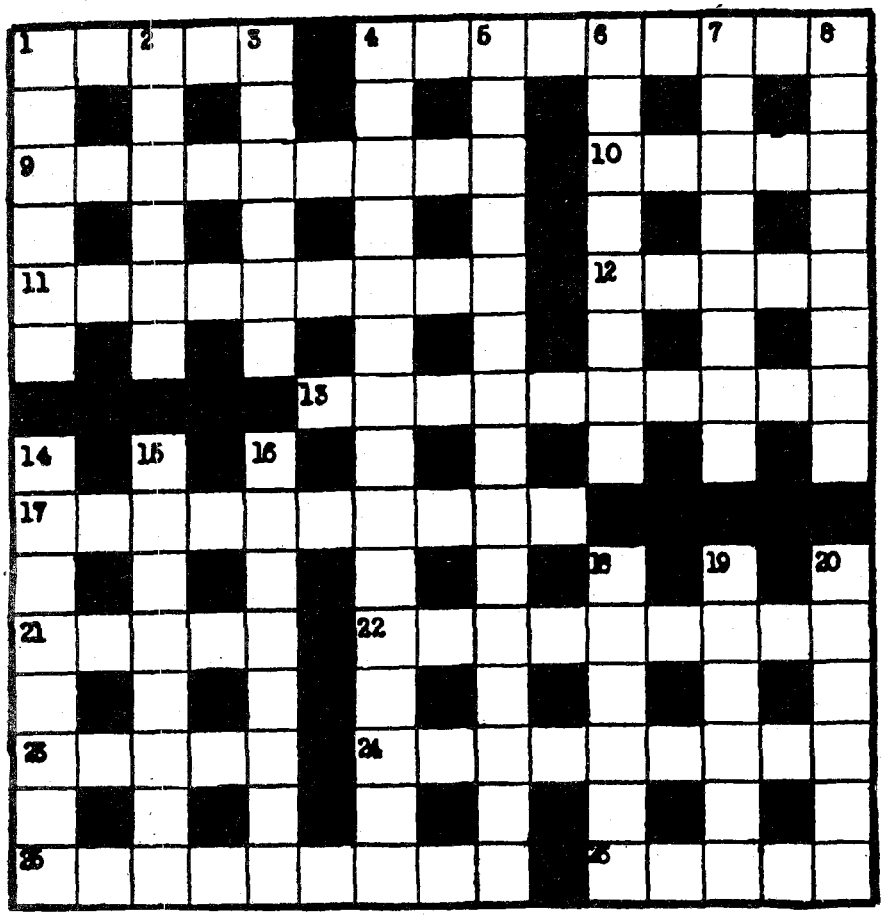
Crossword Puzzle No. 1373

FRANK W. LEWIS



ACROSS

1 The combination the head of government copied became wide open. (5)
4 The CIO's abuse of it might be secreting fat. (9)
9 Wells Fargo did financially, but not out in front. (9)
10 See 13 across.
11 The rest of the painter beats a clock-like rhythm. (9)
12 Exercise for the monkey? (5)
13, 1 down, 10 and 21 across Fenders of the careless moon-lit type, associated with long-leggety beasties. (6,4,2,4,2,3,5)
17 How she rips out of control in riding, possibly? (10)
21 See 13 across.
22 Status job? (9)
23 If you want something issued by authority, this could be cited. (5)
24 For them, there is a rather unconservative doctrine in his confusion about the item-by-item arrangement. (9)
25 Fills beyond capacity in getting to stare at us? (9)
26 The Mr. Thomas of wordy language? (5)

DOWN

1 See 13 across.
2 Not necessarily made by the modern Don Juan in a truck. (6)
3 Stop doing what you're doing! (6)
4 Marron is not an old joke of Cervantes! (7,8)
5 The batter might not look good with them crumbling what could go with rolls on board. (8,7)
6 Like Byron's Harold? (8)
7 Left in? Quite the opposite, in more ways than one, without any qualifications! (8)
8 A measure in condition to be like a star? (8)
14 Switched by the impatient watcher, or followed by the patient bureaucrat. (8)
15 Dope? Dope, in short, one possibly knowing the prescription. (8)
16 The willing type? (8)
18 Griped effusively at what the fence was? (6)
19 Might be silent hanging on a certain tree. (6)
20 All together, the North surrounded the Southern capital. (6)

SOLUTION TO PUZZLE NO. 1372

ACROSS: 1 and 13 down Third-degree burns; 9 and 23 down Accident-prone; 10 Beaten; 11 Villain; 12 and 21 down. No holds barred; 14 Eggnog; 15 Unsigned; 17 Omission; 20 Danube; 22 Air pump; 24 Usurers; 26 Detour; 27 Wrestled; 28 Declamatory. DOWN: 2 Hairlines; 3 Reeling; 4 Duty; 5 Gibbons; 6 Erato; 7 Acting; 8 Beadle; 16 Generator; 18 Mailed; 19 Immoral; 20 Descent; 25 Swim.

Readers are invited to send for a free copy of Mr. Lewis' "ground rules." Address Puzzle Department, *The Nation*, 333 Sixth Avenue, New York, N. Y. 10014.

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